INTERNAL PROCEDURES HANDBOOK



DEPARTMENT OF TRANSPORTATION

URBAN MASS TRANSPORTATION ADMINISTRATION

ORDER

UMTA 1000.1

August 7, 1972

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

Internal Procedures Handbook

RECORD OF CHANGE
for
INTERNAL PROCEDURES HANDBOOK

Change Number	Date of Change	Date Entered	Entered By

INTERNAL PROCEDURES HANDBOOK
TABLE OF CONTENTS

PART A - INTRODUCTION

Chapter	Title
I.	Background
	1. Statutory Authority and Purposes
	2. Urban Mass Transportation Administration
	3. Program Descriptions
	4. Organization, Functions, and Delegations
II.	Program Planning and Budgeting
	1. Summary
	2. Planning and Analysis
	3. Policy Formulation
	4. Program Control and Evaluation
	5. Example of a Project Analysis

PART B - UMTA PROGRAMS

III.	Capital Grants and Loans (Project Development)
	1. Program Description
	2. Eligibility Requirements
	3. Program Management
	4. Preliminary Application and Review
	5. Final Application and Review
	6. Project Approval
	7. Execution of Grant Contract or Loan Agreement
IV.	Capital Grants and Loans (Project Management)
	1. General
	2. Third-Party Contracts
	3. Coding Documents for Program Accounting Cost Allocation
	4. On-Site Visits and Engineering Inspections
	5. Project Reports
	6. Monitoring Projects - Use of Management Information System (MIS)
	7. Requisition Review and Approval
	8. Changes in Project Budget

PART B - UMTA PROGRAMS (Cont'd)

IV. (Cont'd)
9. Relocation Program
10. Acquisition of Property
11. One-Sixth Grant Releases
12. Amending the Grant Contract
13. Disposal of Non-Expendable Project Property
14. Project Completion, Audit, and Closeout
15. Retention of Records

V. Advance Land Acquisition Loans
1. Program Description
2. Eligibility Requirements
3. Program Management
4. Preliminary Application and Review
5. Final Application and Review
6. Project Approval
7. Execution of Loan Agreement
8. Management of Loan Payments

VI. Technical Studies
1. Program Description
2. Eligibility Requirements
3. Program Management
4. Preliminary Application and Review
5. Final Application
6. Project Approval
7. Execution of Grant Contract
8. Project Management

VII. Research, Development and Demonstration Program (Project Development)
1. General
2. Program Structure
3. Program Management
4. Eligibility for Project Funding
5. Initial Proposals--Preliminary Consideration
6. Final Proposal for Grant Contract
7. Preapproval Analysis and Determination
8. Processing for Approval
9. Procurement Contracting
10. Patents and Copyrights

VIII. Research, Development and Demonstration Program (Project Management)
1. Responsibility for Project Administration and Supervision
2. Establishing the Project Account
3. Protection of Project Funds

Table of Contents (Cont'd)

PART B - UMTA PROGRAMS (Cont'd)

VIII. (Cont'd)
4. Coding Documents for Program Accounting Cost Allocation
5. OMB Clearance of Report Forms and Survey Questionnaires
6. Field Inspection of Project Work
7. Project Payments
8. Third-Party Contracts
9. Project Report Requirements
10. Retention of Records--Access to Records
11. Audit of Projects
12. Use and Disposition of Property
13. Project Completion and Closeout

IX. University Research and Training Grants
1. General Authority and Requirements
2. Review and Selection of Applications/ Proposals
3. Grant Administration

X. Managerial Training Grants
1. Program Authority, Eligibility, and Funding
2. Application Review and Approval
3. Grant Administration

PART C - PROCUREMENT AND CONTRACTING

XI. Procurement of Materials and Services
1. General
2. Means of Procurement
3. Services Available Within the Department of Transportation

XII. Sole-Source Procurement
1. General
2. Initiation of Request
3. Sole-Source Board
4. Board Action
5. Board Recommendations
6. Third-Party Contracts

XIII. Selection of Firms to Provide Expert or Consultant Services by Contract
1. General
2. Task Definition
3. Preparation of Procurement Request

PART C - PROCUREMENT AND CONTRACTING (Cont'd)

XIII. (Cont'd)
4. Selection Process
5. Negotiation Responsibility
6. Contracting Officer Technical Representative
7. Relationship of Sole-Source Approval
8. Release of Information

XIV. Office Facilities Work Requests
1. General
2. Telephone Equipment
3. Changes in Office Space and Electrical Requirements

PART D - OTHER ADMINISTRATIVE SERVICES

XV. UMTA Project Files
1. General
2. Responsibilities
3. File Contents
4. File Control Procedures

XVI. Mail Management
1. General
2. Incoming Mail
3. Outgoing Mail
4. Classified Mail
5. Personal Mail

XVII. Personnel
1. General
2. Recruitment
3. Promotions
4. Performance Evaluation
5. Employee Responsibilities and Conduct

XVIII. Payroll
1. General
2. Time and Attendance Records
3. Overtime Work Provisions

XIX. Training
1. General
2. Annual Training Plan
3. Requests for Training

XX. Handling of Classified Material
1. General

Table of Contents (Cont'd)

PART D - OTHER ADMINISTRATIVE SERVICES (Cont'd)

XX. (Cont'd)
2. Designation of Employees to Handle Classified Material
3. Distribution
4. Return of Documents to Classified Control Center
5. Safeguarding Classified Material

XXI. Travel
1. General
2. Travel Planning
3. Approval and Authorizations
4. Itineraries
5. Travel Orders
6. Travel Advances
7. Transportation Requests
8. Reimbursement
9. Travel Vouchers
10. Travel Spanning Two Fiscal Years
11. Trip Reports
12. Local Travel
13. Automobile Rental

XXII. Management of Accountable UMTA Personal Property
1. General
2. Responsibilities
3. Property Control
4. Acquisition and Disposal
5. Personal Property in the Possession of Contractors

XXIII. Administrative Collection of Claims
1. General
2. Demand for Payment
3. Personal Interviews with Debtors
4. Contact with Debtor's Employing Agency
5. Suspension or Revocation of License or Eligibility
6. Liquidation of Collateral
7. Collection by Offset
8. Collection in Installments
9. Compromises
10. Interest
11. Suspension of Collection Activity
12. Termination of Collection Activity
13. Referrals to GAO or the Department of Justice
14. Report of Prior Collection Action
15. Preservation of Evidence

PART D - OTHER ADMINISTRATIVE SERVICES (Cont'd)

XXIII. (Cont'd) 16. Minimum Amount of Referrals to the Department of Justice
17. Referrals to the General Accounting Office

PART E - APPENDICES

Department of Transportation

Urban Mass Transportation Administration

Washington, D.C.

ORDER

UMTA 1000.1

August 7, 1972

SUBJECT: INTERNAL PROCEDURES HANDBOOK

---

1. PURPOSE.

   a. This Internal Procedures Handbook has been designed and written as a basic guide for UMTA personnel to consult when in need of information about the UMTA organization, the programs administered by it, and the means of accomplishing routine and recurring administrative actions. It is not intended as the final authority for the various areas covered, nor is it intended to supplant individual initiative and judgment in resolving management problems. Rather, it should be used as a source of information for standard UMTA procedures and practices, and as a reference to identify the specific Acts, Executive Orders, Federal Regulations, or other issuances which prescribe complete guidance for the subjects covered. Users of the Handbook are expected to maintain or have direct access to current copies of the DOT, OMB, and other issuances referenced in this Handbook.

   b. The Handbook is intended to achieve the following objectives:

      1. To define and clarify UMTA policies and procedures.--The very process of converting a policy or procedure to writing in concise and understandable form serves both to identify and promulgate basic guidance for UMTA personnel to follow.

      2. To establish control.--Written policies and procedures provide UMTA with a very valuable self-evaluation tool, in that they provide the basis for controlling and enforcing procedures once they are established.

DISTRIBUTION: All UMTA Offices

OPI: Office of Administration

3. To achieve uniformity of understanding and performance. -- Written instructions encourage uniformity of policy interpretation among those participating in a policy or procedure which crosses interoffice lines. The existence of a definite set of operating guidelines will enable the management of new UMTA offices (both in Washington and in the field) to concentrate more on the broader, non-routine aspects of their new undertaking.

4. To facilitate training of new personnel. -- Written procedures help to reduce both the time and cost of orienting new personnel, or of transferring existing employees to new jobs within UMTA.

5. To inform others of what is done. -- Satisfying this objective serves not only the purpose of informing outside interest groups of UMTA policies and procedures, but also enables personnel within one UMTA office to understand the activities and requirements of other UMTA offices.

2. CANCELLATION. The Handbook replaces most existing UMTA Orders. A listing of the UMTA Orders cancelled as a result of being incorporated in this Handbook is provided in Appendix 1 of this Handbook.

3. ACTION. The standard instructions and procedures contained in this Handbook have been developed from recommendations of the UMTA Executive Staff, practices employed by UMTA personnel, and suggestions offered by the Special Task Force. Its contents, therefore, represent the knowledge, experience, and decisions of the UMTA management staff and are considered essential to the best overall operation of UMTA's business. For these reasons, UMTA supervisors are responsible for following these published policies and procedures and for ensuring that their employees also adhere to these instructions.

I recognize that day-to-day operating experience will reveal the need for amending established procedures and issuing new ones. Accordingly, I strongly encourage each of you to recommend changes and propose suggestions whenever you feel that the efficiency and/or effectiveness of your particular operation will be improved. However, until such changes become official, each UMTA employee is required to follow the existing published instructions.

C. C. Villarreal
Administrator

Chapter I
Background

		Page
1.	Statutory Authority and Purposes.....	I-1
2.	Urban Mass Transportation Administration Goals and Objectives.....	I-2
	a. Long-Term Goal.....	I-2
	b. Current Objectives.....	I-2
3.	Program Descriptions.....	I-3
	a. Capital Improvement Program.....	I-3
	b. Research, Development and Demonstration Projects.....	I-4
	c. Grants for Technical Studies.....	I-5
	d. Grants for Managerial Training Programs.....	I-5
	e. Grants for University Research and Training.....	I-6
4.	Organization, Functions, and Delegations.....	I-6
	a. History and Background.....	I-6
	b. Organization.....	I-7
	(1) Urban Mass Transportation Administrator.....	I-7
	(2) Office of Program Operations.....	I-7
	(3) Office of Research, Development and Demonstrations.....	I-7
	(4) Office of Civil Rights and Service Development.....	I-8
	(5) Office of Program Planning.....	I-8
	(6) Office of Chief Counsel.....	I-9
	(7) Office of Public Affairs.....	I-9
	(8) Office of Administration.....	I-9
	(9) Office of the Morgantown Personal Rapid Transit Development.....	I-9
	(10) Office of Special Projects.....	I-9

CHAPTER I

BACKGROUND

1. STATUTORY AUTHORITY AND PURPOSES

The Urban Mass Transportation Act of 1964, as amended and supplemented by the Urban Mass Transportation Assistance Act of 1970 (henceforth called the "Act"; see app. 2), authorizes Federal financial assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas. This assistance is provided by five programs: capital grants and loans for the acquisition, construction, reconstruction, and improvement of facilities and equipment, including loans for the advance acquisition of real property for future transport use; grants for the planning, engineering, and design of urban mass transportation systems; grants and contracts for research, development, and demonstration; grants for training managerial, technical, and professional personnel in the urban mass transportation field; and grants to institutions of higher learning for comprehensive research and training in the problems of transportation in urban areas.

The stated purposes of the Act are as follows:

* To assist in the development of improved mass transportation facilities, equipment, techniques, and methods, with the cooperation of mass transportation companies both public and private

* To encourage the planning and establishment of areawide urban transportation systems needed for economic and desirable urban development, with the cooperation of mass transportation companies, both public and private

* To provide assistance to State and local governments and their instrumentalities in financing such systems, to be operated by public or private mass transportation companies as determined by local needs

* To create a partnership that permits the local community, through Federal financial assistance, to exercise the initiative necessary to satisfy its urban mass transportation requirements

2. URBAN MASS TRANSPORTATION ADMINISTRATION GOALS AND OBJECTIVES

a. Long-Term Goal.

The long-term goal of the Urban Mass Transportation Administration (UMTA) is to improve urban life and the urban environment by means of mass transportation systems providing safe, fast, attractive, and convenient service as efficiently and economically as possible. Well-planned urban transportation investments can assist substantially in the achievement of goals selected by each urban area. They can also contribute to the achievement of broad objectives established by the Department of Transportation for the Nation's transportation systems: efficiency in the sense of maximum spread between all social costs and benefits; respect for and wise use of the urban environment; safety and protection for travelers, shippers, and others affected by transportation; and support of other national goals.

b. Current Objectives.

The following are the near-term objectives, consistent with and directed to the accomplishment of the long-term goal described previously:

* Mobility of Nondrivers. This objective is directed to identifying, studying, and ultimately serving the transportation needs of the "transportation disadvantaged"--the young, aged, poor, handicapped, unemployed, and secondary workers. These groups include those who generally do not have reasonable access to alternative forms of transportation and are often deprived of mobility where public transportation is inadequate or nonexistent. For them the availability of adequate public transportation service is vital to their economic and social needs.

* Relief of Traffic Congestion. This objective seeks improvement in overall traffic movement and travel time in urban regions especially during peak hours of travel demand. It requires relief of travel constraints caused by capacity limitations during the hours of peak demand. The number of people moved for a given cost in a given time, rather than the number of vehicles moved, provides the basic measure in deciding on appropriate solutions. This necessitates

examination of alternative transit solutions, especially those that new technologies for collection and distribution service could make available. This measure also requires cooperation and coordination with the various traffic control and improvement elements in the Federal aid highway programs. Supporting this objective are efforts to provide more frequent, more reliable, and faster service; greater riding comfort; and better connections and better route schedules and rates, and information about them.

* Improving Quality of Urban Environment. This objective requires achievement of land use patterns and environmental conditions that effectively contribute to the physical, economic, and social well-being of urban communities. Land use patterns and transportation networks are to be developed with a view to minimizing the need for transportation facilities and their demands on urban space. Public transportation improvements--designed to help reduce the noise, odor, vibration, and other adverse impacts on the urban environment--are to be encouraged as a contribution to improvements of the environment. Good design of structures, vehicles, and other facilities will also be encouraged as a contribution to the improvement of the urban environment.

3. PROGRAM DESCRIPTIONS

a. Capital Improvement Program.

This program authorizes financial assistance to States and local public bodies for the provision or improvement of facilities and equipment for use in mass transportation service in urban areas. Financial assistance may be grants or loans, including loans for advance acquisition of real property.

A capital grant may not exceed two-thirds of that part of the cost of the capital improvement that UMTA determines cannot reasonably be financed from revenues (the net project cost). The grantee must provide the remainder of the net project cost in cash (including property or services having an ascertainable cash value) from sources other than Federal funds.

A loan may be made for the entire cost of the capital improvement or real property, where financing is not available from private sources on reasonable terms. A loan must be of such value, or so secured, as reasonably to assure repayment. Loans, except for advance acquisition of real property, may not be made for a capital improvement project financed in part with a capital grant. The same applicant, however, may be eligible for a loan and a capital grant for separate projects.

Loans and grants are available only to State and local public agencies, although the facilities and equipment acquired or improved with a loan or grant may be leased to or operated by a private transportation company, subject to appropriate public controls.

A capital grant on a two-thirds basis may be made only where the improvement to be assisted is needed for carrying out a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area and where the improvement is necessary for the sound, economic, and desirable development of the area. Until July 1, 1972, grants of up to 50 percent could be made where the development program is actively being prepared although not completed, if the improvement is reasonably likely to be required for the urban transportation system being planned and is urgently needed. The full two-thirds grant may be received if the program and planning requirement is fully met within three years.

Other statutory and administrative provisions, substantive and procedural, that must be met prior to UMTA approval of financial assistance for a capital improvement project are detailed in chapter III. These include provisions relating to public hearings, environmental protection, land acquisition and relocation, employee protection arrangements, special needs of the elderly and handicapped, and criteria for project selection.

b. Research, Development, and Demonstration Projects.

Research, development, and demonstration projects may be undertaken in all phases of urban mass transportation. Included are the development, testing, and demonstration of new facilities, equipment, techniques, and methods. These activities may be undertaken directly by UMTA or by grants or contracts with others, including working agreements with elements of the Department of Transportation (DOT) and other Federal departments and agencies. There is no limitation on eligible participants other than that they be qualified and competent.

The undertaking of a research, development or demonstration project must be supported by a finding that the project will assist in achieving one or more of the following:

* The reduction of urban transportation needs

* The improvement of mass transportation service

* The contribution of mass transportation service toward meeting total urban transportation needs at minimum cost

Federal participation may cover all or a specified portion of the total cost of the research, development, or demonstration project, whether participation is by grant or contract.

c. Grants for Technical Studies.

Grants may be made to State and local public bodies for a variety of activities preliminary to and in preparation for the acquisition, construction, or improvement of urban mass transportation systems. These include the following activities:

* Studies relating to urban mass transportation systems planning or evaluation as part of area-wide comprehensive systems planning

* Studies relating to management, operations, capital requirements, and economic feasibility

* Preparation of engineering and architectural surveys, plans, and specifications

These studies must be related to and consistent with planning for a unified or officially coordinated transportation system as part of the comprehensively planned development of the urban area.

The amount of any grant for technical studies may not exceed two-thirds of the cost of the activities for which the grant is made.

d. Grants for Managerial Training Programs.

Grants may be made to State and local public agencies to provide fellowships for training of personnel employed in managerial, technical, and professional positions in the urban mass transportation field. The fellowships are for not more than one year of advanced training in public or

private nonprofit institutions of higher education. Eligible institutions must offer programs of graduate study in business, public administration, or other fields relevant to the urban mass transportation industry.

Fellowship recipients must be selected on the basis of demonstrated ability and for the contribution they are reasonably expected to make to an efficient mass transportation operation. The Federal grant may not exceed the lower of $12,000 or 75 percent of the sum of: tuition and other charges to the fellowship recipient; any additional costs incurred by the educational institution relating to the fellowship and billed to the grant recipient; and the regular salary of the fellowship recipient for the period of the fellowship actually paid or reimbursed by the grant recipient.

Not more than 100 fellowships may be awarded in any one year, and not more than 12.5 percent of the fellowships awarded may be for employees of mass transportation companies in any one State.

e. Grants for University Research and Training.

Grants may be made to public and private nonprofit institutions of higher learning to assist in establishing or carrying on comprehensive research in the problems of urban transportation. The grants are to be used for the following programs:

* Research and investigations into the theoretical problems or practical problems of urban transportation, or both

* The training of persons to engage in further research, or to obtain employment in private or public organizations that plan, construct, operate, or manage urban transportation systems.

In the award of grants, preference will be given to institutions of higher learning that undertake research and training by bringing together knowledge and expertise in the various social science and technical disciplines that relate to urban transportation.

4. ORGANIZATION, FUNCTIONS, AND DELEGATIONS

a. History and Background.

The Urban Mass Transportation Administration was established as a component of the Department of Transportation by the President's Reorganization Plan 2 of 1968 (see app. 2),

effective July 1, 1968. This plan transferred most functions and programs under the Urban Mass Transportation Act of 1964 from the Department of Housing and Urban Development to DOT.

The Urban Mass Transportation Administration is one of the operating administrations within DOT. Its Administrator is directly responsible to the Secretary of Transportation for exercising the functions of the Secretary under the Urban Mass Transportation Act of 1964 and the Urban Mass Transportation Assistance Act of 1970. The Secretary has delegated his functions under the Act to the Administrator.

b. Organization.

The narrative that follows provides a brief and general description of the various UMTA offices (see app. 3 for UMTA organization charts). A more detailed breakdown, including office functions and responsibilities, is contained in DOT Order 1100.23, "Department of Transportation Organization Manual."

(1) Urban Mass Transportation Administrator--The Administrator is responsible to the Secretary for the comprehensive planning, direction, and control of the Administration and has sole authority within the Administration to approve mass transportation loans, grants, and contracts, except that the Deputy Administrator may do so during the absence or disability of the Administrator, and to the extent authorized by the Administrator.

(2) Office of Program Operations--Directed by the Associate Administrator for Program Operations, this office is responsible for reviewing and processing all applications for urban mass transportation capital facilities grants and loans, advance land acquisition loans, and technical studies grants and for managing the execution of the resulting approved projects.

The Associate Administrator for Program Operations has been delegated authority to execute grant or loan contracts or contract amendments for approved projects under sections 3 and 9 of the Act, and to approve requisitions for funds, third-party contracts, and budget amendments within previously approved limits.

(3) Office of Research, Development and Demonstrations--Directed by the Associate Administrator for Research, Development and Demonstrations, this office is responsible for reviewing and processing applications and

proposals for urban mass transportation research, development, and demonstration projects (except service development demonstration projects); managerial training projects; and university research and training programs in urban transportation;and for managing the execution of the resulting projects.

The Associate Administrator for Research, Development, and Demonstrations has been delegated authority to execute grant and procurement contracts or contract amendments for approved projects under sections 6(a), 10, and 11 of the Act, and to approve requisitions for funds, third-party contracts, and budget amendments within previously approved limits.

(4) Office of Civil Rights and Service Development--Under the executive leadership of the Director of Civil Rights and Service Development, this office advises and assists the Administrator in implementing compliance with applicable laws, executive orders, and directives pertaining to civil rights and equal employment opportunity, both within the Administration and in the conduct of urban mass transportation projects and programs. This office also develops and manages the execution of service development projects.

The Director has also been delegated authority to execute grant contracts and contract amendments for approved service development demonstration projects under section 6(a) of the Act, and is authorized in connection with the administration of such contracts to approve requisitions for funds, third-party contracts, and project budget amendments within previously approved limits.

(5) Office of Program Planning--Directed by the Associate Administrator for Program Planning, this office serves as the principal adviser to the Administrator on UMTA planning, programs, and objectives; it develops, coordinates, and implements the UMTA planning, programming, and budgeting system; it evaluates the effectiveness of UMTA programs; and its coordinates the development of UMTA policy.

The Associate Administrator for Program Planning has been delegated authority to execute grant or procurement contracts and contract amendments for approved planning and evaluation research projects under section 6(a) of the Act; and he is further authorized in connection with the administration of such contracts to approve requisitions for funds, third-party contracts, and project budget amendments within previously approved limits.

(6) Office of Chief Counsel--Directed by the Chief Counsel, this office provides legal advice and services to the Administrator and the Administration, and coordinates with and supports the General Counsel of the Department on legal and regulatory matters involving or affecting urban mass transportation. This office also coordinates with other UMTA offices in the preparation of proposed legislation, legislative reports, and testimony of UMTA officials.

(7) Office of Public Affairs--Under the leadership of the Director of Public Affairs, this office advises and assists the Administrator in the dissemination of general information to the public and the press to foster public awareness and understanding of UMTA programs, projects, and activities.

(8) Office of Administration--Directed by the Associate Administrator for Administration, this office provides, or arranges for, general administrative support services for the Administration, including financial management, personnel, audit, procurement, logistics, management information systems, and maintenance of the official UMTA project files. This office also is responsible for preparing emergency operational plans and programs for urban mass transportation and developing a capability for their execution.

(9) Office of the Morgantown Personal Rapid Transit Development--The Director of this office is responsible to the Administrator for the management of the demonstration project at Morgantown, W. Va., the objective of which is the development of a prototype personal rapid transit system. This system is designed to provide improved, low-cost transportation to help meet the Nation's existing and future urban needs while reducing the noise, congestion, and environmental problems normally associated with present ground transportation systems.

(10) Office of Special Projects--The Director of this office is responsible to the Administrator for the management and coordination of projects for which UMTA has primary management responsibility within DOT and which involve support from other DOT administrations or local agencies. This office also coordinates projects within UMTA involving several program offices.

Chapter II
Program Planning and Budgeting

		Page
1.	Summary	II-1
2.	Planning and Analysis	II-2
	a. Special Studies	II-2
	b. Analysis of Transit Plans	II-2
	c. Research, Development, and Demonstration Plans	II-4
	d. Long-Range UMTA Program Plan	II-5
3.	Policy Formulation	II-6
	a. Spring Preview Submission	II-6
	b. Legislative Preparation	II-7
	c. Contract Authorization Requests	II-8
	d. Prebudget Inquiries	II-9
	e. OMB Submissions	II-9
	f. OMB Negotiations	II-10
	g. Presidential Budget	II-10
	h. Apportionments	II-11
	i. Fund Control	II-12
	j. Interagency Coordination	II-13
4.	Program Control and Evaluation	II-13
	a. Management Accounting and Control System	II-13
	b. Progress Reports	II-15
	c. Review of Public Statements	II-16
	d. Evaluation Program	II-17
5.	Example of a Project Analysis	II-17

CHAPTER II

List of Figures

Figure No.	Title
II-1	Evaluation of Program Planning and Budgeting
II-2	Area Transit Analysis
II-3	RD&D Funding Plan
II-4	Funding Table
II-5	Project Summary
II-6	Administrative Reservation Table
II-7	Major Assistance Contemplated
II-8	Allotment Advice
II-9	Operating Budget

CHAPTER II

PROGRAM PLANNING AND BUDGETING

1. SUMMARY

The program planning and budgeting process in UMTA is an orderly sequence of stages designed to do the following:

* Prepare necessary planning information and analyses

* Create a fully considered set of UMTA policies

* Insure that UMTA either follows its established policies or consciously knows why it deviates from earlier policy decisions

The first stage is planning and analysis, designed to collect and analyze information useful in defining the range of policy alternatives and the logical implications of those alternatives.

The second stage is policy formulation, designed to help the policymakers in UMTA, the Department, the Executive Office of the President, and the Congress by providing the information needed to make informed policy decisions. This second stage also establishes policies that can be used as guidance by UMTA employees making decisions on which grants, loans, or contracts to fund; such policies serve as important criteria in the approval and execution of grants and loans.

The third stage involves program control. This stage is designed to allow UMTA to be fully cognizant of what actually takes place in grant/contract administration; it also serves to determine the extent of deviation from established policies and contributes to the evaluation of program policies and performance.

The evolutionary nature of the entire process of program planning and budgeting is shown in Figure II-1. The earlier stages supply necessary information and permit decisions critical to the later stages.

All three stages of the process--planning, policy formulation, and program control--occur simultaneously. As an

example, planning for the budget year takes place while programs of the current year are under active control.

2. PLANNING AND ANALYSIS

Throughout the program planning and budgeting process, both the Office of the Secretary and the Office of Management and Budget (OMB) require that UMTA provide planning and analysis material to support or explain official funding requests. The purpose of the planning and analysis stage is to consider fully the implications of possible UMTA policy decisions and to anticipate the type of support material needed. The major products of this stage, which in turn serve as the inputs for the policy formulation (stage two), are as follows: the special studies; the analysis of transit plans; the research, development, and demonstration plans; and the long-range UMTA program plan. Each of these is explained below.

a. Special Studies.

Special studies are in-depth analyses and reports that ordinarily provide the analytical bases for major policy recommendations. The following are examples of such studies:

* Operating subsidy study

* Project selection criteria, capital grant programs

* System planning requirements, technical studies grant program

Such studies are occasioned in many ways--Congressional mandate, OMB or OST requests, Administrator's direction, and proposals by UMTA offices. In many cases, the studies are directed to a special departmental study group designed to explore a major policy issue; however, they can be undertaken solely within UMTA. The services of consultants may also be utilized. Deadlines for completion of the studies must be scheduled to maximize the use of findings in the formation of policy as described in stage two of the overall process.

A copy of final reports shall be sent to the Office of Program Planning (UPP) and the Office of Administration (UAD) so that the stage two products can be incorporated into those recommendations approved by the Administrator.

b. Analysis of Transit Plans.

The Office of Program Operations (UPO) and UPP shall maintain surveillance over the planning process in major

communities to be aware of local investment or development plans representing potential demand on UMTA assistance programs over both the short and long run. This surveillance is integrated with the periodic "National Transportation Studies" coordinated by the Office of the Secretary to estimate transportation needs and to identify State and local priorities for meeting those needs under differing assumptions about Federal assistance programs.

By December 15 of each year, UPP shall prepare for UMTA Executive Staff review an analysis of transit plans that will project the likely demand for UMTA funds. This analysis will identify all those urban areas that have requested--or are likely to request--assistance from UMTA; it will also briefly explain the following:

* The nature of the assistance
* The estimated total project cost
* The Federal cost
* The local cost and the source of the local share
* The timing of when the application from local government will be received
* An estimate of when the Federal funds will be required for obligation by UMTA
* A projection of UMTA capital funding by administrative reservation over the projected years of the item

Figure II-2 is an example of an analysis prepared in September 1971.

A second part of the analysis makes the following provisions:

* A description of each project identified under the urban area associated with the project
* An explanation of the rationale for the project
* An explanation of the significant potential problems in making the project a reality
* The expected benefits to be derived

* The impact of a less than two-thirds Federal share and partial alternative methods of funding the project, with other modal options for solving the problem addressed by the project

The analysis for each project should not exceed four pages. Section 5 of this chapter, provides an example of such a project analysis.

c. Research, Development, and Demonstration Plans.

The RD&D plans are used to analyze what RD&D activities could be undertaken as well as what resources would be needed. Plans are prepared for each program area (or, if necessary, for projects) by the responsible office, for example: Office of Research, Development, and Demonstration (URD), Office of Civil Rights and Service Development (UCR), Office of the Morgantown Project (UMP), UPP, or other units to whom special RD&D projects may be assigned. The RD&D plans shall be transmitted to the Office of Program Planning (UPP) and the Office of Administration (UAD) as they are updated.

The RD&D plans are based on the following:

* Evaluations of the technical, economic, and management aspects of active projects in order to identify future funding possibilities under various assumptions

* An analysis of unsolicited proposals in order to apprise UMTA of the needs, wishes, interests, and intent of local bodies, city governments, and other urban areas regarding transit improvements

* Analyses of research opportunities based upon the state-of-the-art and the probable benefits and costs of that research

* Recommended action for the project or program area

The above reviews are made continually throughout the year to identify promising areas of RD&D. These analyses and the RD&D directions given by the Secretary and the Administrator are used to revise and update UMTA's RD&D plans with particular emphasis prior to the spring preview submission to OST, the OMB submissions, and the congressional budget submissions.

Each RD&D plan is composed of two major components: the funding plans and the project summaries. Figure II-3 is an example of the first funding-plan table. It summarizes the expected funding levels by year and program areas and it covers the past year and the five succeeding years. Figure II-4 is an example of the more comprehensive funding table, which identifies each active and proposed project by year of obligation and program area.

The project summaries section of the RD&D plans are completed for each actual and planned project when the plans are updated. Figure II-5 is an example of a project summary. These summaries not only are used in the planning and analysis stage, but also are useful in each subsequent stage of program planning and budgeting. Each project summary is updated either when a significant change takes place in a project or, at least, monthly.

Project summaries will be signed and approved by the appropriate office head:

* For URD the approving official shall be the Associate Administrator or his designee. Project summaries are used by URD as monthly progress reports to the Secretary.

* For UCR the approving official shall be the Director of Civil Rights and Service Development or his designee.

* For RD&D projects administered by UPP, Special Projects Division (UOA-20), and the Office of Morgantown Project, the summaries shall be approved by the office head or division head.

d. Long-Range UMTA Program Plan.

The long-range UMTA program plan shall consist of a preobligation (Administrative Reservation) funding-pattern table and a brief set of analyses to identify those urban areas that would receive substantial UMTA assistance. Figure II-6 is an example of the table; Figure II-7 presents the format which will be used for each urban area identified as a receiver of substantial assistance. The plan covers UMTA activities until 1982.

Annual preparation of this multi-year plan shall be coordinated by UPP and presented to the UMTA Executive Staff by February 1. The purpose of this projection is to focus

attention on the future implications of positions taken for the near term (for example, the commitments to support in part new major metropolitan systems) and to present alternative ways of administering the program depending on the position taken. The plan will be based upon UMTA studies, RD&D plans, analysis of local needs and plans, and established UMTA policy decisions. Comments on the long-range plan and the plan itself will help serve as a basis for preparing the required spring preview submission to OST as described in section 3a.

The long-range program plan should be considered a background paper that gives the UMTA Executive Staff a better appreciation of potential multi-year funding patterns and identifies those areas that will receive significant financial assistance. The plan should not be considered an UMTA policy position, but merely a useful analysis which helps UMTA arrive at policy positions.

3. PROGRAM FORMULATION AND EXECUTION

a. Spring Preview Submission.

The formal process of formulating the UMTA budget program for a fiscal year begins in the spring of the second fiscal year prior to the budget year (for example, formulation of the FY 1974 budget will begin in the spring of 1972). The first step in this process is a submission to the Office of the Secretary identifying significant program issues, making preliminary program recommendations, and justifying those recommendations vis-a-vis alternative programs or program levels. The UMTA submission is based on the analyses and material developed in the study and analysis stage.

DOT Order 5100.2, "Departmental Program Planning and Budgeting Process," and the Office of Management and Budget Circular No. A-11, "Preparation and Submission of Annual Budget Estimates," stipulate the importance of the early development of extensive analytical support for major policy and budget decisions. DOT Order 5100.2 requires that each fiscal year a spring preview submission be made to the Deputy Under Secretary no later than April 15.

The Office of Program Planning shall be responsible for preparing the submission and, if needed, it shall request additional information from the other UMTA offices to support the submission. The submission shall consist of program policy questions, analyses of alternatives and a recommendation for each question, and backup material. Examples of program policy questions follow:

* Changing the funding level from the last year

* Changing program direction, such as funding system planning

* Increasing the UMTA staff level

Normally, the policy question is expressed in 20 to 30 words. The analysis of each question would be two to four pages and the backup material for any one analysis would vary in length from five to 35 pages.

The preparation of this annual submission shall begin on January 15. At this time, UPP submits a list of suggested program policy questions to be analyzed in the submission to the UMTA Executive Staff and requests specific supporting material from other UMTA offices. The determination of which questions to analyze and the subsequent analysis will be based largely on the planning and analysis work, which preceded the preparation of the submission. Once the Administrator has approved the list of program policy questions and has issued any appropriate guidance, UPP shall prepare the submission based upon stage-one products and information prepared by other UMTA offices. UPP shall edit and coordinate the final preparation of the submission and shall transmit the submission to the Executive Staff by March 1, so that once approved by the Administrator, it can be transmitted to the Secretary by April 15.

The practice in the past has been for the Under Secretary to hold Departmental hearings on the submission. Assuming this will continue, UPP shall be responsible for briefing the Administrator for the hearing and for coordinating responses to all requests that arise directly out of the hearings. These hearings and subsequent statements on the submissions represent Departmental guidance for policy matters. They serve as the basic policy guidance for use in the preparation of the budget and other documents discussed in this chapter.

b. Legislative Preparation.

Specific proposed legislation shall be developed by the Office of Program Planning and the Chief Counsel, both of which will receive appropriations advice on the proposal from the Division of Financial Management (UAD-20). The normal appropriation process is not discussed under this subsection but is instead covered in subsections d through i. UPP and UCC shall also prepare all legislative reports (e.g., operating subsidy study) that are assigned to UMTA and comment on all

proposed legislation sent to UMTA for its review. This will be done in accordance with DOT Order 2050.3, "Preparation of Legislation and Legislative Reports," and DOT Order 1323.2A, "Coordination and Transmittal of Reports to the Congress."

To insure consistency within UMTA, the Office of Program Planning and the Office of the Chief Counsel shall coordinate all matters that concern legislative proposals, reports, and testimony. UPP and UCC shall do this in a manner consistent with the Office of Management and Budget Circular No. A-19, revised "Procedures for the Coordination and Clearance of Agency Recommendations on Proposed, Pending, and Enrolled Legislation"; DOT Order 1220.1, "Legislative Testimony"; and, DOT Order 2050.3, "Preparation of Legislation and Legislative Reports."

Recommendations will be based on the material developed in the planning and analysis stage, on decisions arising from spring preview, and on guidance from the Secretary and the UMTA Executive Staff.

Upon receiving the call for the annual legislative program from the OST General Counsel in the third quarter of each fiscal year, UCC will prepare a brief narrative in the form prescribed by OMB Circular No. A-19. Policy guidance for this narrative will be provided by UPP. The narrative will describe the significant provisions of the proposed legislation and their ramifications, as prescribed in the call from the OST General Counsel. In accordance with DOT Order 2050.3, the narrative will be submitted to the OST Assistant General Counsel for Legislation.

c. Contract Authorization Requests.

Section 4(d) of the Urban Mass Transportation Act of 1964 requires that the Secretary submit to Congress by February 1 of even-numbered years a funding authorization request for the fourth and fifth fiscal years beyond the current fiscal year. For example, in FY 1972 the request would be for FY 1976 and FY 1977. The specific amount of the request and required supporting material will have been produced in the study and analysis stage and can be incorporated in a formal proposal for processing in accordance with DOT procedures. The Office of Program Planning and the Chief Counsel (UCC) shall coordinate the review process.

UPP and UCC shall submit the request to the UMTA Executive Staff by January 1. Once approved by the Administrator, the contract authority request shall be transmitted to the

OST Assistant General Counsel for Legislation, for review as required by DOT Order 2050.3, "Preparation of Legislation and Legislative Reports," dated July 17, 1970. The package must be transmitted to OST in sufficient time for them to complete their review prior to the February 1 deadline for submission to Congress.

d. Prebudget Inquiries.

Once the Departmental spring preview submission hearings have been completed and a position decided upon, the Department informally communicates its decision to OMB. This normally occurs in July and may result in OMB inquiries to clarify the DOT position. Such inquiries are communicated through the Office of Planning and Program Review (S-40) or the Office of Budget (S-50) to the UMTA Office of Administration, Financial Management Division (UAD-20). In cooperation with UPP, UAD-20 then prepares or coordinates the preparation of all responses to OMB. Other UMTA offices will assist UAD-20 by supplying information necessary to meet the established deadlines. Responses to OMB inquiries that require greater detail, or revisions to existing program policy, shall be sent to the Administrator for his approval. All changes to existing program policy shall also be reviewed by the Office of Program Planning before submission to UOA-1. Responses shall be sent to the coordinating Secretarial office in the form prescribed by the inquiry and within the established deadline.

e. OMB Submissions.

To prepare the President's budget, OMB requires submissions from the Executive Branch in the fall. Guidance on the budget process is provided by DOT Order 5100.2, "Departmental Program Planning and Budgeting Process," which implements the Office of Management and Budget Circular No. A-11, "Instructions for the Preparation and Submission of Annual Budget Estimates." These documents require the submission to OMB of very specific information usually presented in a prescribed and detailed format for the budget year. UAD-20 shall coordinate the preparation of these submissions for UMTA by the following:

* Using the UMTA studies, the analysis of plans, the RD&D plans, and the spring preview submission

* Requesting information from other UMTA offices

All submissions shall receive the approval of the Administrator. These submissions are scrutinized and contain

the subject matter discussed at the OMB budget hearings, usually held in September or October.

UAD-20 will also prepare or coordinate the preparation of briefing material for the OMB hearings and all requests that arise directly out of the hearings. OMB usually sends a list of questions to UMTA through S-50 before the scheduled hearing date. UMTA in turn must transmit the answers to the OMB budget examiner three days prior to the hearing. UAD-20 shall send any material prepared to the Administrator for his approval and then transmit the material to S-50. The purpose of the hearing and submissions is to aid OMB in arriving at its recommendation on the UMTA portion of the President's annual budget.

f. OMB Negotiations.

Between October and December, negotiations between the Department and OMB take place in which major program policy decisions such as the exact level of outlays and program levels are decided upon. UAD-20 shall coordinate the preparation of any supporting material for this aspect of the budgetary process. In many instances, information is supplied to the OMB examiner so that he can better present the UMTA program requests to higher officials in OMB. In all instances, material prepared shall be channeled through the Secretarial Office of Budget (S-50); and all matters involving a policy change shall be first approved by the Administrator, after review by the Office of Program Planning.

If there is an appeal to the OMB budget decisions, UAD-20 shall be responsible for coordinating the preparation of any material in that appeal process. Here again, however, this material shall be approved by the Administrator, after review by UPP, and channeled through S-50.

g. Presidential Budget.

After the President has announced his budget in January for the coming fiscal year, UMTA shall revise its budget material for submission to Congress so that it is consistent with the President's budget, and is presented in the format and contains the information normally requested by Congress. UAD-20 shall be responsible for preparing the necessary submission to the House Appropriations Subcommittee, the Senate Appropriations Subcommittee, and the conference committee established to resolve any differences between the two chambers.

UAD-20 shall request other offices to supply needed information for these submissions, which are channeled through S-50 after appropriate review within UMTA.

Both appropriations subcommittees have hearings. In explaining the UMTA appropriation requests, the Administrator usually summarizes the highlights of the request in an introductory statement. The Office of Program Planning shall draft these prepared statements for each subcommittee, and UPP will submit this draft to the Office of Administration ten working days prior to the subcommittee hearings. Other UMTA offices will supply information to UAD-20 following guidance from that Division. All prepared information shall be approved by the Administrator, and will be based upon earlier policy positions and guidance provided by the Secretary and the Administrator. UAD-20 shall coordinate the preparation of replies to post post-hearing requests, following the procedure established in DOT Order 1220.2, "Testimony Before Appropriations Subcommittees," dated May 11, 1971. These requests often ask for a listing of UMTA projects, details on a project, and other specific information.

Congress passes an annual appropriation action, which becomes a law as soon as the President has signed it or the Congress has overridden a Presidential veto. UMTA receives official notification of this through the Congressional Record. The appropriation serves as the basis for the UMTA apportionment.

h. Apportionments.

Apportionment is the formal mechanism for Presidential control over the Department's program and budget. Without apportionment from the President's Office of Management and Budget, UMTA can make no program commitments.

The Financial Management Division (UAD-20) shall prepare an SF-132, UMTA's apportionment or reapportionment request, as specified in U. S. Office of Management and Budget Circular No. A-34, "Instructions on Budget Execution"; DOT Order 2700.6, "Prerequisites of Recording and Reporting Obligations"; and DOT Order 2700.7, "Administrative Control of Funds." The apportionment request shall be submitted to OMB through the Secretarial Office of Budget (S-50) 15 days prior to the close of the fiscal year. The apportionment request will be signed by the DOT Budget Officer (S-50) and submitted to OMB. There will be at least one apportionment per year; there may be more, depending on how OMB phases the first apportionment. An original and two copies of SF-132 will be signed by the UMTA Budget Officer in UAD-20 and submitted to S-50.

Supporting data, such as a listing of possible projects to be funded, may be necessary to justify the financial requests. The Financial Management Division shall coordinate the preparation of the supporting material with the assistance of other offices. Those offices will prepare the necessary information based on UAD-20 guidance. Any information to be submitted that departs from policies as determined in the prior policy-formation process shall be approved by the Administrator.

i. Fund Control.

Once an apportionment has been made, a required consolidated accounting system, following DOT Order 2700.8, "Departmental Accounting Principles and Standards," must be used to control the apportioned funds. The Director of the Financial Management Division shall establish allotments within ten days after OMB has made an apportionment of account (or accounts) administered by UMTA. The Allotment Advice, UMTA F 32 (Figure II-8), establishes how UMTA intends to use its apportioned amounts. This form is sent to the UMTA Executive Staff and Departmental Accounting Operations Division (TAD-45). Any revisions to the allotment are sent to the same offices using the same form. A single allotment is required for each apportioned account and, whenever practicable, only a single allotment will be used as explained in DOT Order 2700.8. This single allotment gives UMTA funding flexibility because it allows for any necessary fund transfers among UMTA programs. In a given year, this flexibility might be limited, however, by the wording of the DOT Appropriation Act.

UAD-20 shall be responsible for preparing the UMTA Operating Budget based upon an analysis of requests from the UMTA offices. This budget serves as an internal control to insure that UMTA stays within its allotment for the Urban Mass Transportation Fund.

Once UMTA has established its allotment, UAD-20 will request the UMTA offices to estimate administrative reservations and administrative expense areas specifically mentioned by UAD-20 in its request.

Each office will submit the requested data within two working days after the UAD-20 request. They shall prepare their submission based on earlier policy established in the spring preview, the budget appropriations, and apportionment submissions, as well as guidance from the Congress, the Executive Office of the President, the Secretary, and the Administrator.

UAD-20 will prepare the operating budget (see Figure II-9) and any later amendments to the operating budget, based on an anlaysis of the individual office submissions. The operating budget shall be sent to the Administrator for approval. It may be amended to reflect revised apportionments, changed priorities within or between activities, or new policy guidance. A copy of the approved operating budget and any amendments to it shall be forwarded by UAD-20 to the UMTA Executive Staff and TAD-45.

Section 4 of this chapter explains how UMTA monitors its activities to insure that it follows its operating budget or knows that it must make necessary changes in it.

j. Interagency Coordination.

The programs and policies of other DOT administrations and other Government agencies--such as the Department of Housing and Urban Development (HUD)--have a significant impact on the UMTA program. Some relationships are established by formal agreements; others are more informal. The preparation and revision of interagency agreements concerning UMTA policies and procedures shall be done by the Office of Program Planning (UPP). These agreements will be based on policy decisions established in the spring preview submission or on policy guidance otherwise provided by the Administrator. Examples are the DOT-HUD agreement on planning requirements and the DOT coordination of transportation planning.

UPP will consult with the other UMTA offices when the proposed agreements and revisions directly relate to their activity. The agreement will be submitted to the UMTA Executive Staff. Their comments will be reviewed by UPP, and that office will recommend an agreement to the Administrator for his approval.

4. PROGRAM CONTROL AND EVALUATION

a. Management Accounting and Control System.

An essential component of program planning and budgeting is the gathering of project and program information to fulfill data requests placed upon the Administration and to provide the information needed for internal management and control. This system must be consistent with laws, as well as the Office of Management and Budget and departmental policies and procedures cited in DOT Order 2700.8, "Departmental Accounting Principles and Standards." The Financial Management Division (UAD-20) shall be responsible for the coordination and management of this system.

This system is designed to produce report information necessary for proper control and management of the UMTA programs. The Management Accounting and Control System (MACS) will provide information for the following:

* Monitoring projects through all stages of activity, from the initial application to project closing.

* Servicing ad hoc inquiries and all regular financial and accounting report requirements placed on UMTA by the General Accounting Office, the Treasury Department, the Office of Management and Budget, and the Office of the Secretary.

* Monitoring UMTA obligations and expenditures so that all legal requirements will be met.

Each office in UMTA shall cooperate with the Office of Administration in preparing the input documents required by MACS: these are described and illustrated in "Management Accounting and Control System Manual" published by UMTA. A complete explanation is given for each document, and the discussion provides the following:

* Document name

* Purpose of the document

* Preparing office

* Source of information

* Distribution

* Example of the format

Each document uses several coding structures that are the key identifying numbers used in the system. These 12 codes provide the most effective means of categorizing data for reporting purposes. The MACS Manual details each code used in the system. An integral part of MACS is the UMTA General Ledger Chart of Accounts and the object class codes used in formal reports to other agencies; these are also detailed in the Manual.

Reports produced as a result of the system are provided for in the Manual. For each report, the report title, frequency of the report, distribution, purpose of the report,

contents, sequence, and form are identified. Each office needing information or a copy of a prepared report shall request it from the Office of Administration, UAD-20. Any specific reports not stated in the MACS Manual can be requested by any UMTA office. UAD-20 must be consulted before any office can implement a new report or impose new requirements on the system.

The MACS Manual provides the detailed system specifications for the Management Accounting and Control System. They will be updated by the Office of Administration. The system specifications detail the procedures of the MACS. This section of the Handbook merely presents an overview of the system's major features.

b. Progress Reports.

To monitor the execution of UMTA program activities, program milestones shall be established for each project and for overall UMTA activities. These milestones indicate when a significant event--or series of events--is expected to be completed during the course of a project or activity. Ideally, milestones can be used to measure progress within the UMTA plan and toward the objectives for which the program was established. Milestones also should serve as a check on the validity of the planning process and the effectiveness of management. Occasionally, more intensive evaluations of program performance and goals are required to support major decisions on the initiation of new programs, reorientation of existing programs, or the authorization of a particularly important activity.

Project milestones are initially established at the time of project approval and entered into the MACS. These established milestones represent UMTA's plans against which progress is reported and appraised. The milestone events or dates may change over the course of a project as events and decisions change project plans.

Administrative milestones are established for each UMTA office for each fiscal year representing execution of planned work--such as completion of project approvals, staff acquisition, units of recurring work load (e.g., audits, engineering inspections, EEO reviews, etc.), or similar events constituting normal work load.

Monitoring program progress with milestones serves as a method of collecting data that may in turn reveal a need for such more intensive evaluations.

The Office of Program Planning shall request administrative milestones from other UMTA offices each fiscal year. This request shall be made by May 1 each year, to cover the succeeding fiscal year. The identification of project milestones shall be done by each UMTA office with direct responsibility for a program at the time of project approval.

Upon receiving the input from other offices, UPP shall summarize the fiscal year program milestones, which must be consistent with the operating budget and RD&D plans (discussed in sections 2 and 3 of this chapter) and compatible with the information gathered for program control (discussed in section 4).

Recommended milestones are submitted to the UMTA Executive Staff for concurrence and to the Administrator for his approval. Once approved, the milestones will serve as the basis for progress reports on the UMTA program within UMTA and to the Office of the Secretary.

UPP shall coordinate preparation of quarterly UMTA progress reports based on the following:

* Project milestone information found in the Management Accounting and Control System

* Reports by each office on its accomplishments against administrative program milestones

These periodic progress reports provide a systematic basis for program review and allow consideration of appropriate corrective action when milestones are not being met. The review may also result in revisions of previous plans to reflect the future effect of any slippage that is not correctable within the original time frame.

c. Review of Public Statements.

Speeches, public statements, and letters to members of Congress often represent significant statements of general UMTA policy or objectives. To insure a consistency in policy, those proposed public speeches and written statements which may be inconsistent with UMTA policies or procedures shall be sent to the Office of Program Planning (UPP) for review and internal coordination. UPP shall review these statements and comment within three working days; otherwise, the assumption will be that UPP has concurred. The UPP review will include an evaluation of the logical consistency of the statement with previous program policy positions as well as any significant problems which that proposed position might create. The

results of the UPP review shall then be forwarded to the Office of Public Affairs for final drafting and distribution through S-80 to the public.

d. Evaluation Program.

Evaluation and appraisal are management functions at every level. In addition to the appraisal responsibilities of program managers, UPP shall perform an overall evaluation of UMTA performance and the effectiveness of its programs. Data collection, statistical analysis, field visits, and other sources are used to advise the Administration concerning the effectiveness of UMTA organization and programs in meeting its objectives and to reflect the results of such evaluations in the policy and program development processes.

5. EXAMPLE OF A PROJECT ANALYSIS

The following section is an example of the second part of project analysis discussed in section 2 of this chapter. Such an analysis follows the Demand for Capital Assistance shown in Figure II-2.

Buffalo

Urban Area:

Metropolitan Buffalo, N.Y., consists of Erie and Niagara Counties; 1970 population is 1,349,211.

The Buffalo Urbanized area consists of Buffalo and Niagara Falls and their contiguous suburbs; 1970 population is 1,086,594. In 1960 this was the second most densely populated urbanized area in the U. S., with 6,582 persons per square mile. (Figures for 1970 are not yet available.)

Project Description:

A 12.5-mile rail rapid transit line is proposed in the area's busiest corridor, the Buffalo-Amherst Corridor--between the Buffalo central business district and a large new university campus in the suburban Town of Amherst. The 109-square mile "tributary" corridor, from within which nearly all the riders are predicted to come, contained 450,000 people in 1970 and is conservatively estimated to increase to 496,500 by 1975 and to 605,000 by 1995. Of the 12.5-mile length, 3.9 miles would be in subway, 7.3 miles on aerial structure, and 1.3 miles at grade, in open cut, or in transition from subway to aerial structure. Including the two terminals, there would be 19 stations along the way; 8 in

subway, 10 on aerial structure, and 1 at grade. At outlying stations, a total of 9,500 parking spaces would be provided for commuters. All except three of the stations will be tapped by buses on feeder or distributor services, and 9 of the stations will have off-street facilities for convenient transfer of passengers. Trains of up to six cars will run every two minutes in the peak hours and 2-car trains every 7-1/2 minutes throughout the day.

The line would be designed and constructed in two phases. Phase 1, $239-million 1972-1977, covers 10.65 miles from downtown Buffalo to the new campus in Amherst. Phase 2, $37,674,000, 1976-1979, covers a 0.62-mile extension southward in the central business district to the Erie County Community College and a 1.23-mile extension northward to a new planned community being developed by the N.Y. State Urban Development Corporation.

Rationale for the System:

The feasibility of the rapid transit line was investigated as a major part of the $786,000 Niagara Frontier Mass Transit Study, funded primarily by a $524,000 Technical Study grant from UMTA (Project No. NY-T9-4). The line would carry 111,000 riders in 1977 and 148,000 in 1995. The modal-split analysis used to predict this ridership assumes completion of all proposed freeways in the Corridor. If one of these is not built, the transit facility would gain about 14,000 additional daily riders. A major impetus to investigating a rapid transit facility is the under-construction Amherst Campus of the State University of New York at Buffalo, (SUNYAB)--a 1,200-acre, $650-million project. The activity and population growth this facility will place on the area between the campus and downtown Buffalo, and the university's own need for access place a tremendous transportation demand on this corridor in the immediate future--a demand that cannot be met by the present system of automobiles and buses.

Potential Problems:

The Corridor is almost entirely built up; the especially high population density has already been mentioned. It can be appreciated that threading an all-new transit facility through such an area cannot be done without considerable disruption. Nevertheless, it is believed that damage has been kept to a minimum. Following are the number of structures to be moved or demolished and the number of occupants affected:

type	structures	occupants
residential/families	79	99
commercial/businesses	47	78
other/other	4	2
	130	179

There is also the problem of producing a facility that is acceptable to its neighbors--the residents, institutions, etc., along the line.

Expected Benefits:

An annual benefit in 1995 of $36-million (in 1970 dollars) was calculated from analysis of travel time saved on a combined rail and bus network as compared to an all-bus network; savings included those accrued to necessity transit riders, to motorists, the transit operator, and the trucking industry. This, when compared to the capital cost for the rail rapid transit line at the end of a 40-year period, results in a benefit/cost ratio of 7:1. However, taking the time value of money (as if the savings and costs were invested for the same period) the analysis shows a break-even point by 1993 and a benefit/cost ratio of 2.7:1 in 2015.

The rapid transit service will enable the new university to function efficiently. It will provide mobility for the young, the aged, the underprivileged, and a considerable portion of the handicapped. It will connect inner city residents to suburban employment.

The project will centralize and increase the pace of development. Plans for the revitalization of downtown Buffalo will be enhanced and reinforced.

Air pollution will be less than if the project is not carried out.

Several urban projects are already based at least in part on the prospect of the proposed rail service: the foregoing plan for downtown ("Regional Center"), the siting of a downtown campus for the Erie Community College, an $86-million expansion of the county hospital, the SUNYAB campus in Amherst, and a planned new community (25,000 population) immediately north of the campus at the outer terminal of the rapid transit line.

Impact of Reduced Federal Share:

The rapid transit project, including the operation of the network of feeder bus routes is financially feasible only with

the capital costs coming from sources other than the fare box. Therefore, it is necessary to take full advantage of Federal (UMTA) and State programs of grants-in-aid for mass transportation. The impact of a reduced Federal share would be to curtail the project or have the sponsor search for other sources of funds.

Alternate Methods of Funding:

The project is at the mercy of Federal funding capability. Analysis of debt financing through revenue bonds showed a need for $36-million annually in revenue surpluses, but the combined rail and bus operation is predicted to net $3,195,500 in 1977, $2,740,300 in 1979, and $4,072,100 in 1995.

The New York State Transportation Capital Facilities Development Act provides for State grants of up to 75% of project cost, but it is believed that the local government cannot produce the remaining 25%. The availability of State funds in that high an amount is also doubtful. The State Legislature has, however, authorized the project and appropriated $86-million toward it--amounting to one-third of the cost of the rail line and a regional bus transit network.

It appears that the County of Erie and the City of Buffalo could produce about 1/12th or 1/10th of the project cost, although this is awkward because State law does not allow debt financing of such contributions.

To keep capital costs within what appear to be reasonable funding limits, the project has been laid out for phased development. The total cost for Phase I of the rail rapid transit line is estimated as $239,290,000, including escalation over a six-year construction period. Seeking the fullest possible Federal participation (i.e., 2/3rds of the cost) would require a $159,526,667 grant. This would be matched by $79,763,333 from the previously mentioned State appropriation.

Other Modal Options:

In the feasibility study, more than 200 modes of urban transport were screened against several general requirements and the following modes were given intensive analysis:

Roadway Systems (Paved Roadway):

Motor bus on exclusive right-of-way ("busway").
Motor bus partially on busway, partially on public highway.
Trolley coach on busway.

Guide Systems/Contact:

- Railway (Two-Rail)
  - Heavy-volume rapid transit
    - steel wheel/steel rail
    - rubber tired
  - Light-volume rapid transit
    - steel wheel/steel rail
      - entirely on exclusive right-of-way
      - partially on exclusive right-of-way
- Skybus
- Monorailway
  - Supported (Alweg)
  - Suspended (SAFEGE)

Each of these was tested in application to the Buffalo-Amherst Corridor, with special emphasis on the busway. Heavy-volume rapid transit was found to be the most economical and capable of meeting the special conditions of the Corridor. Because there are no significant lengths of available rights-of-way (e.g., railroads or highway medians) in the Corridor, the busway was unable to offer a reduction in capital cost as would otherwise be expected. And, the busway produced significantly higher annual operating costs.

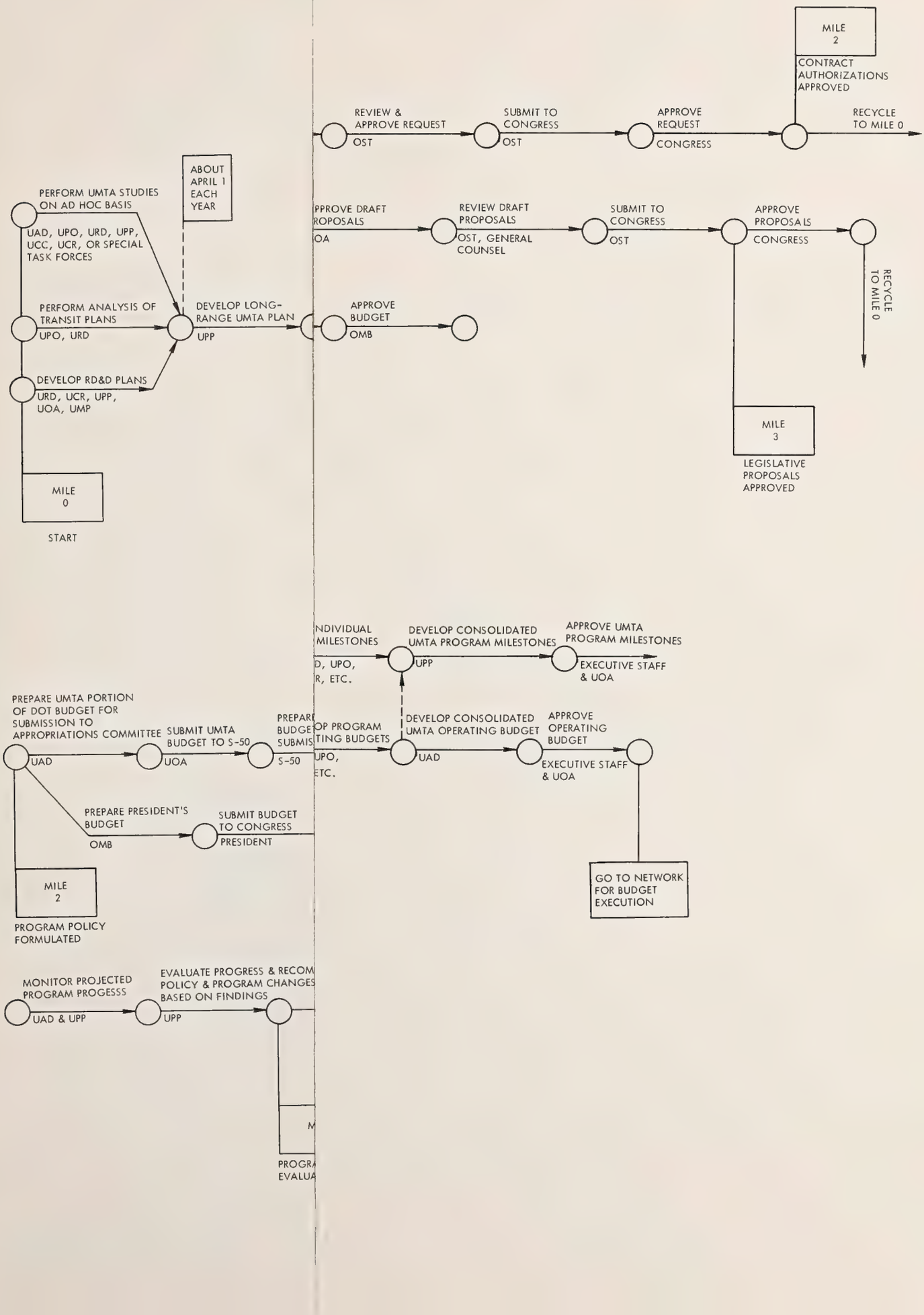

MILE 2
CONTRACT AUTHORIZATIONS APPROVED
REVIEW & APPROVE REQUEST
OST
SUBMIT TO CONGRESS
OST
APPROVE REQUEST
CONGRESS
RECYCLE TO MILE 0
ABOUT APRIL 1 EACH YEAR
PERFORM UMTA STUDIES ON AD HOC BASIS
UAD, UPO, URD, UPP, UCC, UCR, OR SPECIAL TASK FORCES
PPROVE DRAFT ROPOSALS
OA
REVIEW DRAFT PROPOSALS
OST, GENERAL COUNSEL
SUBMIT TO CONGRESS
OST
APPROVE PROPOSALS
CONGRESS
RECYCLE TO MILE 0
PERFORM ANALYSIS OF TRANSIT PLANS
UPO, URD
DEVELOP LONG-RANGE UMTA PLAN
UPP
APPROVE BUDGET
OMB
DEVELOP RD&D PLANS
URD, UCR, UPP, UOA, UMP
MILE 3
LEGISLATIVE PROPOSALS APPROVED
MILE 0
START
NDIVIDUAL MILESTONES
D, UPO, R, ETC.
DEVELOP CONSOLIDATED UMTA PROGRAM MILESTONES
UPP
APPROVE UMTA PROGRAM MILESTONES
EXECUTIVE STAFF & UOA
PREPARE UMTA PORTION OF DOT BUDGET FOR SUBMISSION TO APPROPRIATIONS COMMITTEE
UAD
SUBMIT UMTA BUDGET TO S-50
UOA
S-50
PREPARE BUDGET SUBMIS
OP PROGRAM TING BUDGETS
UPO, ETC.
DEVELOP CONSOLIDATED UMTA OPERATING BUDGET
UAD
APPROVE OPERATING BUDGET
EXECUTIVE STAFF & UOA
PREPARE PRESIDENT'S BUDGET
OMB
SUBMIT BUDGET TO CONGRESS
PRESIDENT
GO TO NETWORK FOR BUDGET EXECUTION
MILE 2
PROGRAM POLICY FORMULATED
MONITOR PROJECTED PROGRAM PROGESSS
UAD & UPP
EVALUATE PROGRESS & RECOM POLICY & PROGRAM CHANGES BASED ON FINDINGS
UPP
M
PROGR EVALUA

FIGURE II-1.-EVOLUTION OF PROGRAM PLANNING AND BUDGETING

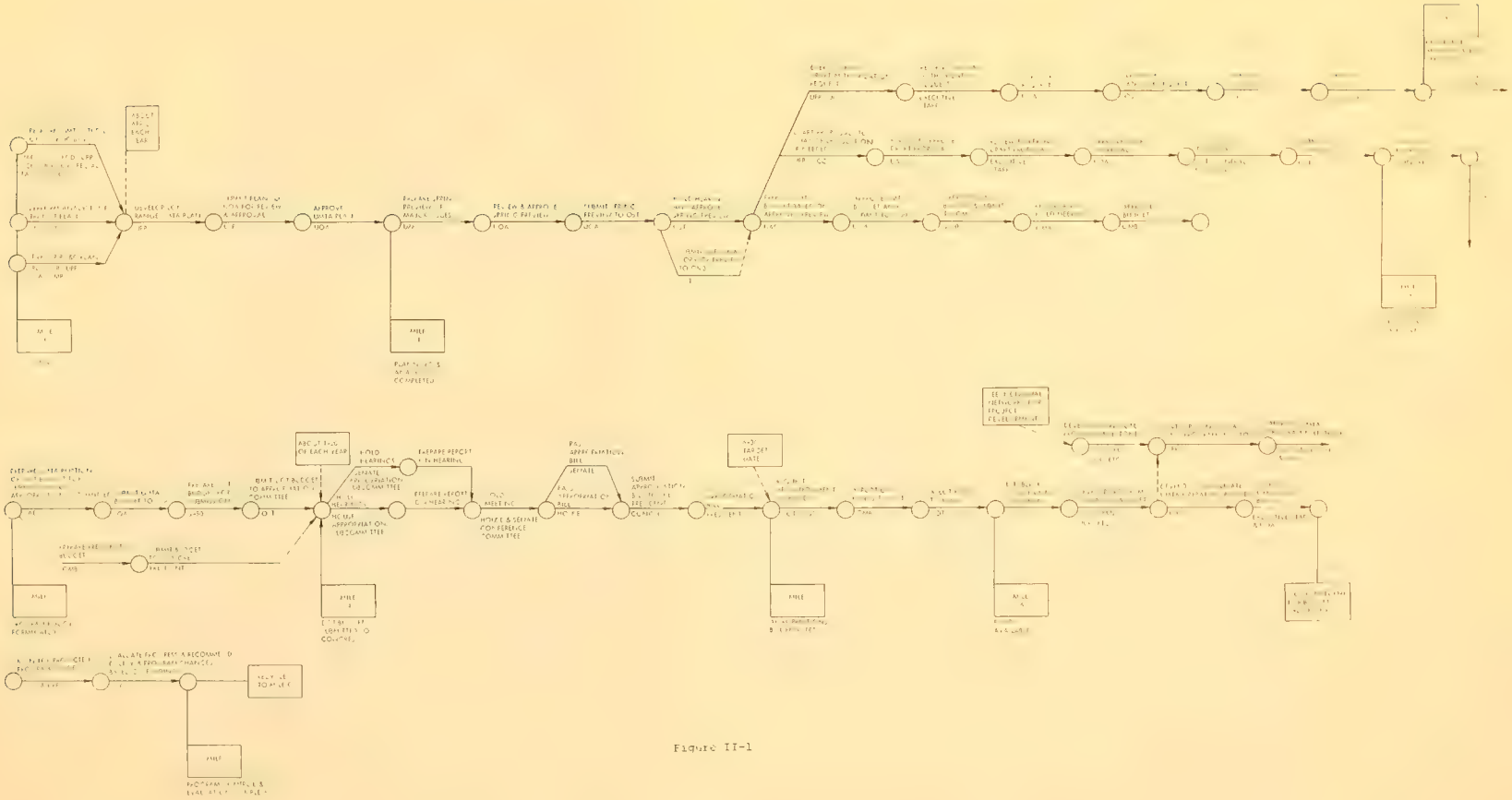


Figure II-1

Name of Urban Area	Current Pop. (000,000)	Nature and Status of Future Transit Grant Application	Estimate of Total Investment Cost			Administrative Reservations								
			Fed.	Local	Source of Local Shares	70	71	72	73	74	75	76	77	78-82
Atlanta Metropolitan Region	1.4	Planning for a 70-mile rail and busway rapid transit system coordinated with 1,530 miles of surface bus operations is complete and in accordance with adopted regional land use and transportation plans. The project is ready for final design and construction. Agreement has been reached to acquire the local bus operation. Further progress is dependent on: (1) 1% Sales Tax Referendum 11/9/71 (Local share) (2) Federal share.	$947.3	$473.7	1% Sales Tax	--	--	$140.2	--	$201.1	--	$596.0		
Baltimore	2.1	28 mile rail system Phase I, Plan Adopted In Preliminary Engineering Preliminary Appl. for Capital Grant in Preparation	437	219	State Transportation Fund	--	--	--	24.8		110.7		301.2	
		Phase II, Continuation of implementation of Regional Systems. Determination will be made by Technical Study, for which an application will be submitted in the next several months			State Transportation Fund	--	--	--	--	--	--	--	--	329

Figure II-2--Area Transit Analysis

PROGRAM AREA	DESCRIPTION	PRE-FY71	FY1971 APPRVD	FY1972 BUDGET	FY1972 APPRVD	FY1972 BALANC	FY1973 BUDGET	PLANNED FY1974	PLANNED FY1975
1.1	BUS TECHNOLOGY	$ 2249	$ 1254	$ 4744	$ 0	$ 4744	$ 7000		
1.2	BUS TRAFFIC SYSTEMS INNOVATIONS	7674	3474	5330	50	5230	13800		
1.3	DEMAND-RESPONSIVE TRANSIT SYSTEMS	2137	2752	180	70	110	2000		
1.4	TRANSIT OPERATIONS & MANAGEMENT	4896	2209	1500	0	1500	4200		
1	BUS TRANSIT TOTAL	16956	9689	11754	120	11634	27000	$ 3500	$ 3500
2.1	RAPID RAIL VEHICLES & SYSTEMS	13925	5588	3000	0	3000	4500		
2.2	COMMUTER RAIL VEHICLES & SYSTEMS	11177	1055	2450	0	2450	5000		
2.3	LIGHT RAIL VEHICLES & SYSTEMS	60	2	2146	0	2146	4000		
2.4	RAIL SUPPORTING TECHNOLOGY	2857	4521	9571	543	9028	12000		
2	RAIL TRANSIT TOTAL	28019	11166	17167	543	16624	25500	30000	58000
3.1	MORGANTOWN DEMONSTRATION	121	5985	17877	2746	15131	5000		
3.2	FUTURE NEW SYSTEMS DEMONSTRATIONS	0	10012	9200	250	8950	46000		
3.3	NEW SYSTEMS REQUIREMENTS ANALYSIS	3413	85	750	0	750	2000		
3.4	NEW SYSTEMS DEVELOPMENT ENGINEERING	9744	938	1550	0	1550	4000		
3	NEW SYSTEMS TOTAL	13278	17020	29377	2996	26381	57000	79000	90000
4.1	RD&D TECHNICAL SUPPORT	6717	361	352	20	332	700		
4.2	INTERMODAL SYSTEM IMPROVEMENTS	0	125	310	20	310	1100		
4.3	DEPARTMENTAL RD&D SUPPORT	1479	160	40	30	10	0		
4	ANALYSIS & EVALUATION TOTAL	8196	646	702	50	652	1800	2000	2000
5.3	MASS TRANSIT PLANNING	820	967	500	0	500	700		
6.0	SERVICE DEVELOPMENT & EVALUATION	0	2403	2500	301	2199	3000		
5	PLANNING & SERVICE DEVELOPMENT TOTAL	820	3370	3000	301	2699	3700	4000	5000
.0	ACCOUNTING ADJUSTMENTS & RECOUPMENTS	0	-2370	0	0	0	0	0	
		0	-2370	0	0	0	0	0	
	TOTAL UMTA RD&D	$67269	$39521	$62000	$4010	$57990	$115000	$150000	$190000

Figure II-3. --UMTA Research, Development, and Demonstrations Funding Plan, FY 1972 & FY 1973

PAGE 1 08/30/71

LINE PROJECT MANAGER	PERFORMER DESCRIPTION	DATE APPR EST COMPL	PRE-FY71	FY1971 APPRVD	FY1972 BUDGET	FY1972 APPRVD	FY1972 BALANC	FY1973 BUDGET	REMARKS
1.100 INT-RDC-1	BOOZ ALLEN APPLIED RESEARCH BUS TECHNOLOGY SYSTEMS MANAGER: NEW BUS DESIGN, DEVELOPMENT AND DEMONSTRATION	12/70 6/74	$ 0	$380	$4000	$0	$4000	$6120	
1.110 CAL-MTD-13 DANIELS	CALIF STATE ASSY CALIF STEAM BUS ENGINES, PHASE I: INSTALL & TEST 3 EXTERNAL COMBUSTION ENGINES IN TRANSIT BUSES	02/59	1121	81	0	0	0	0	
1.111 CAL-MTD-13 DANIELS	CALIF STATE ASSY CALIF STEAM BUS ENGINES, PHASE II: OPERATE STEAM PROPELLED BUSES IN TRANSIT SERVICE & EVALUATE	05/71 03/72	0	409	0	0	0	0	
1.120 TEX-MTD-2 DANIELS	DALLAS PUB TR BD DALLAS TOLUOL BUS ENGINE: FABRICATE, INSTALL & TEST EXT COMB ENGINE WITH ORGANIC WORKING FLUID	02/69 *	310	238	0	0	0	0	
1.130 DANIELS	TO BE SELECTED LIQUID NATURAL GAS BUS ENGINE DEVELOPMENT & DEMONSTRATION, PHASE I: DESIGN DEFINITION		0	0	100	0	100	0	
1.131 MORGAN	CLEVELAND TRANSIT SYS DEVELOP & DEMONSTRATE GAS TURBINE ENGINE FOR SMALL BUS PROPULSION		0	0	644	0	644	0	
1.132 CAL-DMG-12 HINDMAN	SAN FRANCISCO DEMONSTRATE FLYWHEEL PROPULSION OF TROLLEYBUS TO PERMIT ROUTE DEVIATIONS USING STORED ENERGY	* *	0	0	0	0	0	880	
1.140 NY-MTD-18	RENSSELAER RESEARCH CORP DESIGN CONSIDERATIONS FOR IMPROVED SMALL BUS	06/69 12/70	290	51	0	0	0	0	
1.150 CAL-MTD-16 DANIELS	SAN FRANCISCO EIP PROJECT: TEST DIESEL ENGINE EXHAUST EMISSION & NOISE REDUCTION KITS ON 4 SAN FRANCISCO BUSES	02/70	$ 60	$ 0	$ 0	$0	$ 0	$ 0	

Figure II-4. --Funding Table

November 17, 1971

Project: California Steam Bus - CAL-MTD-13

Grantee: California Legislature

Third party contractors to Grantee:

Scientific Analysis Corp.--System Manager
International Research & Technology--Technical Manager
Wm. Brobeck & Associates--Engineering Manufacturer
AC Transit (Oakland)--Operator
Lear Motors Corp.--Engineering Manufacturer
San Francisco Muni--Operator
Steam Power Systems--Engineering Manufacturer
SCRTD (Los Angeles)--Operator

Objectives:
1. To show engineering feasibility of fabricating, installing, and operating low pollution, low vibration, and low noise external combustion engines in existing bus bodies.
2. To demonstrate that such external combustion engines can meet the practical needs of public transit service.

Impact: Demonstration to the public and to governing bodies that very low pollution and low noise engines can be operated in public transit buses.

Approach:
1. Three different engine manufacturers paired for testing by three transit operators.
2. Determine the best features of the three for incorporation in prototype system.

Recent Progress:

The first bus in operation, Brobeck/AC Transit, is in Washington for demonstration at the UMTA Steam Bus Symposium on November 17, 1971.

Project Schedule:

First bus trials	Sept. 1971
First Transit Ops.	Dec. 1971
Complete Transit Evaluation	Mar. 1972

UMTA RD&D FUNDING (Thousands)	Pre FY 72	FY 73	FY 74	Total
	1,611	---	---	1,611

Project Manager: Charles J. Daniels URD-31 Tel: 64035

Project Number: CAL-MTD-13 budget line item: 1.111

Background: The diesel propulsion systems presently used on most city buses are noisy, cause objectionable vibration, and the exhaust gives off smoke, odor, and too high a level of noxious fumes The public image and to degree ridership is adversely affected by these uncomfortable and air polluting characteristics of present bus propulsion systems. Also the engines do not meet anticipated future emission standards. Of the many candidate systems for low pollution external combustion power plants, one of the simplest and best understood is the Rankine cycle. The project is designed to determine the beasibility of applying Rankine cycle to transit bus propulsion.

The California steam bus project and the related Dallas, Texas project together will provide a comparison of four different engine configurations, two of which have reciprocating expanders (engines) using water and two are turbine expanders using organic working fluids.

The goal of the present phase of this project is to compare these configurations and to make a determination of an effective prototype design for further development of a Rankine cycle transit bus power plant. The prototype Rankine will provide at least one power plant configuration which will qualify under projected emission standards. Whether it will be the future standard will depend on its characteristics, both technical and economic, in comparison with other power plants which may also qualify.

Figure II-5. --Project Summary

Programs	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	Total
Capital Investment Grants	$284,700	$497,700	$511,000	$524,000	$552,000	$590,000	$622,500	$656,000	$664,500	$700,000	$737,500	$774,000	$7,113,200
Advanced Real Estate Acquisition Loans	--	--	--	--	--	--	--	--	--	--	--	--	--
Technical Studies and Systems Planning	15,000	25,000	30,000	30,000	35,000	40,000	45,000	50,000	55,000	60,000	65,000	70,000	520,000
RD&D	40,300	75,000	100,000	125,000	150,000	200,000	209,500	218,000	226,500	233,000	238,500	244,000	2,059,800
Management Training	70	70	1,000	1,000	1,000	1,000	1,200	1,300	1,400	1,500	1,600	1,700	12,840
University Research and Training	2,930	2,930	5,000	5,000	5,000	6,000	6,800	7,700	8,600	9,500	10,400	11,300	81,160
Capital Investment Loans	57,000	--	--	--	--	--	--	--	--	--	--	--	57,000
Salaries & Administrative Expenses	3,325	6,800	8,000	9,400	11,875	13,000	15,000	17,000	19,000	21,000	22,000	24,000	170,400
GRAND TOTAL	$403,325	$606,800	$655,000	$694,400	$754,875	$850,000	$900,000	$950,000	$975,000	$1,025,000	$1,075,000	$1,125,000	$10,014,400

Figure II-6--Administrative Reservation Table

Major Assistance Contemplated

I. Fiscal Year 19--

A. Urban Area: _____

Grant: _____

Description of Likely Project: _____

_____ _____

_____

_____

Status of Potential Application: _____

_____

_____

_____

_____

B. Urban Area: _____

(continued)

Figure II-7--Major Assistance Contemplated

Page ____ of ____

DEPARTMENT OF TRANSPORTATION URBAN MASS TRANSPORTATION ADMINISTRATION	ALLOTMENT ADVICE-69 X 4119 URBAN MASS TRANSPORTATION FUND	ALLOTTEE: ASSISTANT ADMINISTRATOR FOR ADMINISTRATION	ADVICE NUMBER: DATE OF ALLOTMENT:

Authority is granted to incur net administrative reservations as herein specified, provided that the current allotment, limitations and other restrictions are not violated, including the sum of quarterly availability.

FISCAL YEAR

DETAIL		TOTAL *(amounts in thousands)*			QUARTERLY AVAILABILITY		CARRIES FORWARD *(amounts in thousands)*	
CODE	DESCRIPTION	PREVIOUS ALLOTMENT	CHANGE (+ OR -)	CURRENT ALLOTMENT	1ST	2ND	3RD	4TH

REMARKS:

APPROVED:

Figure II-8.--Allotment Advice

CONSOLIDATED ACCOUNTING SYSTEM OPERATING BUDGET NOTIFICATION	APPROPRIATION *(Title and Code)*	FUND ADMINISTRATOR *(Title and Code)*	FISCAL YEAR	CONTROL NO.

PROGRAM		ANNUAL PLAN *(Total)*			QUARTERLY TARGETS *(Cumulative)*			
					QUARTER			
CODE	DESCRIPTION	PREVIOUS PLAN	CHANGE (+ OR -)	REVISED PLAN	FIRST	SECOND	THIRD	FOURTH

REMARKS

APPROVED BY: BUDGET AUTHORITY	DATE

Form DOT F 2700.1 (5-69)

Figure II-9.--Operating Budget

Chapter III
Capital Grants and Loans (Project Development)

		Page
1.	Program Description	III-1
2.	Eligibility Requirements	III-2
	a. Eligible Applicants	III-2
	b. Eligible Projects	III-2
3.	Program Management	III-2
	a. Inquiry	III-2
	b. Internal UMTA Processing of Capital Grant and Loan Applications	III-3
	(1) Receipt of Project Applications	III-3
	(2) Routing Applications for Review	III-3
	c. Disaster Relief Act--Waiver Policy	III-4
	d. Categories for Capital Grant Applications	III-5
	e. Visits or Conferences	III-6
	f. Letter of No Prejudice	III-6
	g. Comments of Governors	III-7
	h. Application Status Report	III-8
	i. UMTA Office of Public Affairs	III-8
4.	Preliminary Application and Review	III-9
	a. Structure and Contents	III-9
	b. UMTA Determinations	III-10
	(1) Eligibility of Applicant and Project	III-11
	(2) Applicant's Technical, Financial and Legal Capability	III-11
	(3) UMTA Funding Feasibility	III-11
5.	Final Application and Review	III-12
	a. Structure of the Final Application	III-12
	b. Outside Referrals	III-12
	(1) HUD Planning Recommendation	III-13
	(2) Department of Labor Certification	III-13
	(3) A-95 Clearinghouse Review	III-14
	(4) Environmental Clearance	III-15
	(a) Applicant's Environmental Analysis	III-15
	(b) Local Review of Proposed Project Through OMB Circular No. A-95 Procedures	III-15
	(c) UMTA Evaluation of Environmental Impact of Proposed Project	III-16
	(d) UMTA Draft Environmental Statement; Preparation and Circulation for Comment	III-17

(e) UMTA Final Environmental Analysis--Preparation and Distribution..... III-18
(f) Applications Involving Section 4(f) of the DOT Act..... III-19
(g) Applications Involving Section 106 of the Historic Preservation Act..... III-20
c. Final Review..... III-21
d. Statutory Determinations and Requirements..... III-21
(1) Eligibility of Project and Applicant..... III-21
(2) Public Hearing..... III-21
(3) Environmental Protection..... III-23
(4) Planning Requirements..... III-23
(5) Certification..... III-24
(6) Protection of Private Companies..... III-25
(7) Computation of Net Project Cost (Grants Only)..... III-26
(8) Relocation and Land Acquisition..... III-26
(9) Department of Labor Certification.... III-26
(10) Needs of the Elderly and Handicapped..... III-27
(11) Civil Rights Compliance..... III-27
(12) State Limitation (Grants Only)..... III-27
(13) Satisfactory Continuing Control of Facilities and Equipment..... III-29
(14) Source and Availability of Local Matching Funds (Grants Only)..... III-30
(15) Additional Loan Requirements..... III-30
e. Administrative Requirements and Policy Regulations..... III-31
(1) Cash Disbursement Schedule..... III-31
(2) Continuing Need for Transit Service.. III-31
(3) Availability of Local Funds to Meet the Next Five Years' Operating Needs..... III-31
(4) Consideration of Research, Development, and Demonstration (RD&D) Results..... III-31
(5) Project Budget..... III-32
(6) Intergovernmental Coordination..... III-33
(7) Flood Damage Protection..... III-34
(8) Public Fallout Shelter Construction.. III-34
f. Guidelines for Capital Grant Project Selection..... III-34
6. Project Approval..... III-34
a. Contents of the Approval Package..... III-34
(1) Approval Memorandum..... III-35
(2) Approval Letter..... III-43
(3) Project Budget..... III-43

CAPITAL Grants

Chapter III (Cont'd)

(4) Draft Press Release..... III-43
(5) Grant Notification Form..... III-43
(6) "For the Secretary's Information".... III-44
b. Organization and Routing of the Approval Package..... III-44
c. Congressional Notification and Release.... III-44
7. Execution of Grant Contract or Loan Agreement..... III-44
a. Grant Contract..... III-44
b. Loan Agreement..... III-45

CHAPTER III

List of Figures

Figure No.	Title
III-1	New Project Submittal Form
III-2	Letter of No Prejudice
III-3	Memorandum Recommending Letter of No Prejudice
III-4	Procedures for Consideration of Environmental Effects
III-5	Environmental Analysis
III-6	Environmental Statement
III-7	Federal Agency List for Draft Environmental Statement
III-8	Summary Sheet for Environmental Statements
III-9	Capital Grant Approval Memorandum
III-10	Approval Letter
III-11	Approved Project Budget
III-12	Draft Press Release
III-13	Grant Notification Form

CHAPTER III

CAPITAL GRANTS AND LOANS

PROJECT DEVELOPMENT

1. PROGRAM DESCRIPTION

Section 3 of the Urban Mass Transportation Act of 1964, as amended, authorizes a program of grants and loans to assist public bodies in providing capital facilities and equipment for use in mass transportation service in urban areas. Capital grants normally are funded in a two-thirds Federal, one-third local share ratio of the net project cost when the full planning requirements have been met.

Capital loans may be made only when financial assistance is not otherwise available on reasonable terms, and must be of such sound value or so secured as reasonably to assure payment. Participation with banks or other lending institutions is authorized. Maximum loan maturity is 40 years. Interest is computed at a rate, not less than a rate determined by the Secretary of the Treasury, based on the current average market yield of similar obligations of the U. S. Government, plus an allowance the Urban Mass Transportation Administrator considers adequate to cover administrative costs and probable losses under the program.

A capital loan may not be made for any project for which a capital grant is made. A capital loan may, however, be made for a project which has received relocation payments.

Relocation grants may be made in conjunction with capital grants and loans, and are made pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (see appendix 7).

2. ELIGIBILITY REQUIREMENTS

a. Eligible Applicants.

Only public bodies are eligible to apply for a grant or loan. Private transportation companies may, however, participate through contractual arrangements with a public body. These arrangements must provide the public body with continuing control over the use and disposition of project facilities and equipment.

Eligible public bodies include States; municipalities and other political subdivisions of States; public bodies and instrumentalities of one or more States, or of one or more municipalities or other political subdivisions of States; and

public corporations, boards, and commissions established under State law.

b. Eligible Projects.

Eligible projects include the acquisition, construction, reconstruction, or improvement of facilities and equipment for use in urban mass transportation service in urban areas and in coordinating such service with highway and other transportation in urban areas.

Eligible facilities and equipment include land (but not public highways), buses and other rolling stock, and other real or personal property needed for an efficient mass transportation system. Urban mass transportation service means general or special transportation service to the public on a regular and continuing basis in the urban area described in the application. General service is defined as service available to any member of the public on a completely equal basis. Special service is that which offers greater benefits to one or more groups of people in order to meet their special transportation needs. This includes school service operated as part of the urban mass transportation service. Project facilities and equipment may be used for charter or sightseeing service, but only if such use is incidental, and then only when the items are not needed for mass transportation service operations.

3. PROGRAM MANAGEMENT

a. Inquiry.

All inquiries related to the capital grant and loan programs should be directly forwarded to the Division of Project Development (UPO-10), Office of Program Operations. A transportation representative in the Division of Project Development will answer the inquiry and subsequently act as the prospective applicant's contact in UMTA.

The Associate Administrator (UPO-1), in consultation with the Director, Division of Project Development, decides whether the inquiry should be pursued and developed into an application. This decision is based on the eligibility of the applicant and proposed project. He may also request that the Division of Technical Assistance (UPO-40) be consulted to assist in evaluating the transit needs of the area and recommend alternatives for transit improvement. If the prospective applicant chooses to submit an application for a capital grant or loan, he may request the transportation representative to provide guidance in developing an application. In certain cases, UMTA may determine that a Preliminary Application need not precede the Final Application. This most often happens when the applicant has previously been the recipient of an UMTA capital grant or loan.

b. Internal UMTA Processing of Capital Grant and Loan Applications.

(1) Receipt of Project Applications.--All applications, preliminary and final, are received by the Office of Administration, Program Administration Division (UAD-10), either directly through the United States mail or from a transportation representative who has received an application by hand delivery from an applicant. Both preliminary and final applications for a capital grant or loan are submitted in the original and five copies. However, when the project involves a commuter railroad, the original and 11 copies must be submitted.

The Program Administration Division takes the following actions on each application, immediately upon receipt:

* A project number will be assigned from the Project Number Control Register.

* A letter of acknowledgement will be prepared and sent to the applicant.

* A form UMTA F-18 will be completed, reviewed and filed.

* A Summary of New Project Submittal will be prepared for use in disseminating information on the proposed grant project promptly to the key operating and staff offices in UMTA and also to inform HUD and other DOT constituents in accordance with the DOT-HUD exchange of information agreement (see Figure III-1).

* The Master Project File will be set up, containing the signed original of the application, with all supporting documents, and also any preapplication correspondence accumulated in the inquiries file.

* Basic control data will be entered into the Management Accounting and Control System (MACS) and the Secretary's 170 Information System.

(2) Routing Applications for Review.--Upon receipt of a preliminary or final application, the Program Administration Division contacts the responsible transportation representative to advise him that the application has arrived

and to get approval or instructins concerning its distribution. With any such instructions in mind, the Program Administration Division will distribute or hold copies of the application. The application is routed as follows:

Original -- the Master Project File

1 copy -- Department of Housing and Urban Development, Planning Standards Office

1 copy -- Office of Civil Rights and Service Development

1 copy -- Office of Chief Counsel

2 copies -- Department of Labor, forwarded through the Office of Chief Counsel [In the case of a project involving a commuter railroad, 8 (eight) copies are forwarded to the Department of Labor.]

Upon completion of their reviews, the Office of Chief Counsel and the Office of Civil Rights and Service Development return their copies of the application to the Program Administration Division for inclusion in the project file.

Only the Master File is forwarded to the Office of Program Operations, which office is responsible for follow-up with the applicant and advising the Program Administration Division of the status of the project, and further processing of the application.

c. Disaster Relief Act--Waiver Policy.

The Disaster Relief Act of 1970 (P.L. 91-606) contains the following provision:

> "Sec. 205. Any Federal agency charged with the administration of a Federal grant-in-aid program is authorized, if so requested by the applicant, State or local authcrities, to modify or waive, for the duration of a major disaster proclamation, such administrative procedural conditions for assistance as would otherwise prevent the giving of assistance under such programs if the inability to meet such conditions is a result of the disaster."

In effectuating this policy, the Office of Program Operations may recommend, for the Administrator's approval, the waiver of any administrative requirements or procedures that would thereby enable UMTA to undertake or continue a project in a disaster-stricken area.

d. Categories for Capital Grant Applications.

In accordance with the guidelines for capital grant project selection (see section 5.f. of this chapter), applications are to be categorized immediately upon receipt of the application by the Division of Project Development. The categories are:

A. Small System.

Urban areas in this category are those with SMSA populations under 250,000 based upon the 1970 Census Bureau figures, and generally served by bus systems with 100 or fewer buses. Specific applications for bus projects of this size serving small communities within larger areas may be considered within this category.

B. Medium System.

This category is defined broadly to include urban areas between 250,000 and 1,000,000 SMSA population as specified in the Census Bureau's 1970 census. Urban areas of this size are typically served by bus systems with fleets of under 500 buses. Specific applications for bus projects of similar magnitude, serving medium size communities within a larger metropolitan region, may be considered in this category.

C. Large System.

This category includes major metropolitan areas with 1,000,000 population or over, based upon the 1970 Census Bureau figures, that are generally served by transportation systems which include bus systems with fleets of over 500 buses (typical peer groups, 401 to 1,000 buses; and over 1,000 buses) and often already have grade-separated systems, or have one or more corridors with traffic volumes that could require grade-separated capacities within ten years. Applications for rail projects will be placed in this category regardless of metropolitan area size.

1. Bus Transit.

For urban areas over 1,000,000 population, generally served by bus systems with fleets of over 500 buses (typical peer groups, 401 to 1,000 buses; and over 1,000 buses).

2. Rail or Other Grade-Separated Transit.

These systems are primarily applicable to the more intensively developed metropolitan areas, with populations exceeding or forecast to exceed one million, and which already have grade-separated systems or which have one or more corridors with traffic volumes requiring such capacity within ten years. Water-borne transit systems will be considered in this category.

3. Suburban Commuter Railroad Service.

e. Visits or Conferences.

Visits or conferences between the applicant and UMTA personnel are to be held, as necessary, while the project is being developed. These may be held either in Washington or the field, whichever site better serves the purpose of the meeting.

The transportation representative visits the applicant during the application development stage and inspects the transportation system to be assisted.

Upon return from each visit, the transportation representative submits a trip report, which is reviewed by the Division Director, the Associate Administrator, and is included in the project file.

f. Letter of No Prejudice.

A Letter of No Prejudice authorizes an applicant to commit local funds before project approval without prejudice to the inclusion of such amounts as are eligible as project costs, if and when a Federal grant for the project is approved. It is signed by the Administrator on the recommendation of the Associate Administrator, Office of Program Operations.

A Letter of No Prejudice may be issued when it is necessary for an applicant to acquire property or equipment without delay in order to prevent the loss or serious disruption of essential public transportation service.

The following four conditions are prerequisites to the issuance of a Letter of No Prejudice:

(1) The Final Application for the proposed project is complete, except for--

* Only limited documentation, not substantive to project approval, as needed to support the Final Application

* Completion of the UMTA Planning Evaluation, which is based on the HUD recommendations

* Completion of section 13(c) certification process by the Department of Labor

* Preparation of the UMTA Draft Environmental Statement

(2) UMTA review indicates that the project is approvable and meets selection criteria for approval within funds already available or estimated to be available in the following fiscal year.

(3) The Final Application can reasonably be expected to be complete within three months.

(4) The applicant agrees that all UMTA requirements, including those for project management, will apply to any commitments under the Letter.

The Letter of No Prejudice is prepared for the Administrator's signature by the transportation representative assigned to the application. Figure III-2 is a sample Letter of No Prejudice.

Accompanying the Letter of No Prejudice is a memorandum to the Administrator, signed ty the Associate Administrator (UPO-1), recommending that the Administrator approve and sign the Letter of No Prejudice. The Office of Chief Counsel concurs in the Letters of No Prejudice before they are forwarded to the Administrator. This memorandum explains the need for the Letter, how the project meets the prerequisite conditions for issuance of a Letter of No Prejudice, and any problems known or anticipated during application development, and reviews the application or approval of the project. Figure III-3 is a sample memorandum recommending the issuance of a Letter of No Prejudice.

g. Comments of Governors.

Where a proposed project is wholly or partially located in a State that has Statewide comprehensive transportation planning, section 3(a) of the Act requires that the applicant furnish a copy of the Preliminary Application to the Governor of each such State affected by the project. The Preliminary Application is submitted to the Governor at the same time it is submitted to UMTA, with the request that the Governor's comments be sent directly to UMTA within 30 days. The comments should address themselves to the conformance or nonconformance of the application to the Statewide comprehensive transportation planning.

Any comments received by UMTA within this time frame must be evaluated in the same manner as A-95 comments. If a Preliminary Application is not submitted, the applicant is to submit a copy of his Final Application to the Governor at the same time it is submitted to UMTA.

h. Applications Status Report.

A primary method of controlling the processing and development of applications and monitoring the response of outside agency referrals is the Applications Status Report, which is part of UMTA's Management Accounting and Control System. Transportation representatives are responsible for a bi-weekly updating of those parts of the report containing information on their assigned applications. This is done to ensure accuracy and timeliness.

The report is issued on the fifteenth and last day of each calendar month.

i. UMTA Office of Public Affairs.

UMTA's Office of Public Affairs (UPA) is charged with the overall management of UMTA's public information program and is the point of contact with the OST Office of Public Affairs (S-80). UMTA's Office of Public Affairs will review all other public information materials proposed for submission to S-80.

Press release material must be in the Office of Public Affairs of UMTA (UPA) no less than seven working days before the desired release date. OST requires the material to be in its Office (S-80) five to seven working days prior to the desired release date. OST will arrange for printing and distribution.

Magazine articles and public use information requiring clearance must be in UMTA's Office of Public Affairs ten working days prior to the material leaving the Department. This includes a five- to seven-day minimum requirement by OST before the material is due to leave DOT or due out of the print shop.

Advance information copies of speeches requiring clearance must be submitted by UMTA's Office of Public Affairs to OST at least 72 hours prior to release or to departure of the speaker.

All motion pictures, slide presentations, and radio-television copy must be cleared by UMTA's Office of Public Affairs with OST at the script development stage.

4. PRELIMINARY APPLICATION AND REVIEW

The Preliminary Application enables UMTA to ascertain the probable eligibility of both the applicant and project, and the availability of Federal funds to support the project in the current or future fiscal year program. Such preliminary determinations enable both UMTA and the applicant to avoid the costs of preparing, processing, and reviewing the more detailed Final Application for projects that may subsequently be determined ineligible.

This process also allows for a period of discussion and negotiation between the applicant and the transportation representative to facilitate preparation of an acceptable Final Application.

a. Structure and Contents.

The Preliminary Application consists of a letter signed by an authorized representative of the applying public body. It includes:

(1) A description of the capital facilities or equipment for which the grant is desired, in as much detail as possible.

(2) A brief description of the transportation system in which the facilities or equipment will be used. This should include the number of vehicles in the fleet, their age, routes, route miles, and number of revenue passengers.

(3) A description of the benefits to be derived from the facilities or equipment requested that relates their benefits to the transportation program for the urban area.

(4) An estimate of the total cost of the project.

(5) An estimate of what portion of this total cost can be financed from revenues of the transportation system. The source of these revenues must be identified, and a description of how this financing will be arranged must be included. In this computation, the proceeds of sale of facilities and equipment to be replaced by this project are to be treated as if they were revenues of the transportation system. In the case of a Preliminary Application for a capital loan, an estimate of the loan principal should be given.

(6) An estimate of the net project cost, which is that portion of the total project cost which cannot be reasonably financed from revenues. One-third of this figure is the local share, and this section contains an explanation of

how this local share will be obtained. In the case of a Preliminary Application for a capital loan, this section of the application should contain a proposal of how the loan is to be secured.

(7) A description of efforts to obtain private revenue financing efforts and any State and local actions that have been taken to provide assistance, financial or otherwise, in the solution of urban mass transportation problems should also be included in both capital grant and loan applications.

(8) Provides the name, address, and telephone number of the areawide planning agency, the name of the responsible chief executive officer of that agency, and the names, addresses, telephone numbers and chief executive officers of any transportation planning, transit planning and programming and transit operating agencies in the area. List the State and metropolitan clearinghouses notified of the application (this must be done to conform with OMB Circular No. A-95).

(9) A description of the arrangements that exist or will be made to insure satisfactory continuing public control over the operation or use of the facilities and equipment, whether publicly or privately operated.

(10) An indication of whether the project will:

* Adversely affect employees of the transportation systems in the urban area. The systems and labor unions involved must be identified.

* Result in the relocation of families, individuals, business concerns, or non-profit organizations.

(11) An Environmental Analysis should be attached to the Preliminary Application. If it is not, it should be submitted as soon thereafter as practicable. This is required because the applicant's Draft Environmental Analysis must be made available to the public before the public hearing required as part of the Final Application. The Analysis must be reviewed by the A-95 State and metropolitan clearinghouses to conform with the State and local review procedure of the Council on Environmental Quality. It is also used by UMTA as the basic document for the UMTA Draft Environmental Analysis, should UMTA decide that a Federal agency review of the project's environmental impact is necessary. It should contain the information required by DOT Order 5610.1A.

(12) An opinion by counsel clearly showing that the applicant is a public body authorized by law to carry out the described project in the manner contemplated.

b. UMTA Determinations.

The Preliminary Application, and the information attached to it, provides UMTA with basic information about the project and applicant. Upon receipt, UMTA will determine:

* Eligibility of the applicant and project

* Applicant's technical, financial, and legal capacity to carry out the project

* Whether UMTA will be able to fund the project in the current fiscal year, in the near future, or at all

The first and second determinations are made by the Associate Administrator for Program Operations, who calls upon the Program Division of the Chief Counsel's Office (UCC-30) and the Divisions of Technical Assistance (UPO-40) and Technical Studies (UPO-30) for support when needed.

(1) Eligibility of Applicant and Project.--Guidelines for these determinations are contained in section 2 of this chapter. These determinations are made by the Administrator, upon the advice of the Office of the Chief Counsel, which is based upon a review of the Preliminary Application and is contained in a Preliminary Legal Report. If a negative determination is made, the Associate Administrator for Program Operations informs the applicant by letter.

(2) Applicant's Technical, Financial, and Legal Capability.--Legal capability is determined by the Office of Chief Counsel, based on an analysis of the opinion of Counsel submitted with the applicant's Preliminary Application. This analysis is in the form of the Preliminary Legal Report, which is prepared by the Program Division of the Chief Counsel's Office (UCC-30). It advises the Office of Program Operations as to whether the application contains the information necessary to meet the legal requirements of the Act.

This report may be prepared based on the Preliminary Application, if it contains the necessary information. If the Preliminary Application does not contain sufficient information to make this report, or no Preliminary Application has been received, the report is based on a review of the Final Application.

Technical and financial capability is determined by the transportation representative, with assistance from the Divisions of Technical Studies (UPO-30) and Technical Assistance (UPO-40), as needed. These determinations are based upon UMTA's knowledge of the applicant, and the information supplied in the Preliminary Application.

(3) UMTA Funding Feasibility.--This determination is made by the Administrator, upon recommendation of the Associate

Administrator, for Program Operations (UPO-1). This recommendation usually results after reviewing the capital assistance program plan for the current fiscal year. The program plan is prepared in the Division of Project Development and is reviewed by the Associate Administrator. The capital assistance program is formulated by assembling all those applications that it is estimated can be developed into approvable condition during the fiscal year, and then measuring these applications against the capital grant criteria or other priorities established by the Administrator, or both. The application of the highest priority is included first, with the program being completed as the lower priority applications fill the program to its funding level for the fiscal year. This program is updated on a quarter-year basis, at the minimum.

5. FINAL APPLICATION AND REVIEW

The Final Application contains the information and materials necessary to determine whether the project meets the statutory and administrative requirements of UMTA.

The transportation representative works with the applicant in developing the Final Application, and insures that it is complete and, after receipt, has undergone the required UMTA and other agency reviews.

a. Structure of the Final Application.

The structure of a Final Application and instructions for its preparation are found in Appendix 5, Sample Format for a Final Application.

b. Outside Referrals.

Every Final Application must go through at least three review processes which are accomplished outside UMTA. They are:

* HUD planning recommendation

* Department of Labor certification

* A-95 clearinghouse review

There is a fourth review, a Federal agency review of environmental impacts resulting from the project, but it is not required of all projects, as explained in DOT Order 5610.1A. This review is explained below in (4), "Environmental Clearance."

(1) HUD Planning Recommendation.--The appropriate area office of the Department of Housing and Urban Development reviews the comprehensive and transportation planning in the urban area. The HUD review is submitted directly to UMTA.

The HUD planning recommendation advises that: (a) the full planning requirements have been met, or (b) insufficient planning exists or is not under way to meet the planning requirements of the Act. HUD is forwarded a copy of the Final Application so that it may submit comments on the proposed project, separate from the recommendation concerning planning in the urban area.

The planning recommendation made by the Division of Technical Studies [see subsection 5d(4)], together with the HUD planning recommendation, form the basis for the determination made by the Administrator, in the approval memorandum, that the statutory planning requirements have been met. Exhibits F and G of the Sample Format (see app. 5) serve as an informational basis for making the planning recommendations.

(2) Department of Labor Certification.--Under section 13(c) of the UMTA Act, the Secretary of Labor has the responsibility for determining that fair and equitable arrangements have been made to protect the interests of employees affected by the project. Exhibit I of the Final Application (app. 5) contains information directly related to this certification. The Assistant Secretary of Labor for Labor/Management Relations confers with the unions affected by the project in the process of making this determination.

Copies of the Preliminary and Final Application are forwarded to the Department of Labor by the UMTA Office of Chief Counsel. The Chief Counsel's Office supplies the Office of Program Operations with a copy of the letter which accompanies those applications referred to the Department of Labor.

These copies are routed to the transportation representative, who is responsible for the application, and who then updates the Applications Status Report. The copy is then routed to the file room, marked for inclusion in the appropriate application file.

If the transportation representative does not receive a copy of the referral letter within 15 days of receipt of the application, he should follow up with the Office of Chief Counsel.

All communication between UMTA and the Department of Labor concerning the status of 13(c) negotiations and the certification itself are handled by the Assistant Chief Counsel, Program Division, Office of the Chief Counsel. The certification is in letter form, signed by the Assistant Secretary of Labor for Labor/Management Relations and is forwarded by the Office of Chief Counsel to the Office of Program Operations upon receipt.

(3) A-95 Clearinghouse Review.--To conform with the requirements of OMB Circular No. A-95, UMTA, through a transportation representative in the Division of Project Development, has the following responsibilities:

* UMTA is required by A-95 to inform potential applicants that they are to submit notification of their intent to apply for Federal assistance to their appropriate State and metropolitan clearinghouses. All applications must go through this process.

* Any comments received from this clearinghouse review should accompany the Final Application and are utilized by the Office of Program Operations in evaluating the application and its conformance to locally adopted plans. The Final Application cannot be considered complete until these comments (or notice that there are no comments) have been received by UMTA. A special case exists where an application is from a special purpose unit of government, e.g., a transit authority. If the comments indicate a similar application is coming from the general purpose unit of government within which the applicant is located, preference will be given to the application submitted by the general purpose unit. When preference cannot be accorded to the unit of general local government, the required rationale shall be cleared with the Office of the Secretary (OST), through the Assistant Secretary for Administration, before submitting the reasons to OMB and the appropriate unit of general local government.

* When any substantive action is taken on an application, approval, or amendment, or the application is no longer being considered active, UMTA, through its Program Administration Division of the Office of Administration, must

inform the clearinghouses that were notified of the application within seven days after the action has been taken. Standard Form 240, "Notification of Grant-in-Aid Action," may be used (see OMB Circular No. A-98, "Notification to States of Grant-in-Aid Information.")

(4) Environmental Clearance.--To ensure that the requirement of the National Environmental Policy Act of 1969 and sections 3(d) and 14 of the UMT Act have been met, UMTA requires that every capital grant and loan application go through certain procedures (see DOT Order 5610.1A, "Procedures for Considering Environmental Impacts," for Departmental policy and procedures). Figure III-4 is a graphic display of these procedures. The Office of Program Operations has the responsibility for insuring that these procedures are followed. The Division of Technical Assistance (UPO-40) is the primary staff resource assisting the transportation representatives and the applicant in these procedures. In the case of a proposed project of a type which UMTA, through a policy decision, has dedermined will not significantly affect the environment, a "negative declaration" may be made (see (4)(c) of this section). Such projects include assistance for the purchase of vehicles or rolling stock as replacement for existing fleets, any equipment for such vehicles or rolling stock, and replacement maintenance facilities or equipment.

(a) Applicant's Environmental Analysis--An environmental analysis of the proposed project is prepared by the applicant and submitted as part of the Preliminary Application, or soon enough thereafter to be included in the information made available to the public prior to the public hearing (which is discussed in subsection 5d(2). The format for this environmental analysis is shown in Figure III-5. The heading section relating to the Department of Transportation is not included.

(b) Local Review of Proposed Project Through OMB Circular No. A-95 Procedures--

* The applicant circulates the Preliminary Application, including the environmental analysis, to the appropriate A-95 agencies for review and comment, along with such review of the application as is required by section 204 of the Demonstration Cities Act of 1966 and section 401 of the Intergovernmental Cooperation Act of 1968. These various reviews are interrelated and

should be undertaken simultaneously in order to afford proper interdisciplinary consideration of environmental impacts.

* In forwarding the Preliminary Application, including the environmental analysis, to the A-95 clearinghouses, the applicant requests that comments be solicited from State and local agencies authorized to develop and enforce environmental standards. All comments received by the clearinghouses are forwarded to the applicant, and then by the applicant to UMTA.

* The environmental analysis is revised, when necessary, by the applicant to reflect comments received as a result of the A-95 circulation, substantive environmental issues raised at the public hearing, and any other relevant comments. It is then submitted to UMTA.

(c) UMTA Evaluation of Environmental Impact of Proposed Project--The Office of Program Operations, primarily the Division of Technical Assistance, evaluates the applicant's environmental analysis, the comments that accompany it, the hearing transcript, and any other information to determine whether the proposed project is likely to have a significant impact on the environment.

If it can be determined that the project will not have a significant impact and can substantiate, as explained below, such determination, a "negative declaration", is included in the approval memorandum. The negative declaration is a statement in the approval memorandum that "This project will have no significant impact on the environment," with a short justification of that statement. This must be taken to mean no significant adverse or positive impact, since the presence of either is grounds for preparation of an Environmental Statement. If it is determined that the proposed project may have a significant impact on the environment, the procedure in subsections 5b(4)(d) and (e) governing the development of UMTA Environmental Statements is followed. No project requiring an Environmental Statement shall be recommended for approval unless the Final Environmental Statement is included in the approval package. Guidelines for the determination of significant environmental impact are contained in Figure III-5.

(d) UMTA Draft Environmental Statement; Preparation and Circulation for Comment--On the basis of the determination that there may be a significant impact, the Office of Program Operations prepares an UMTA Draft Environmental Statement. The format for the UMTA Draft and Final Environmental Statements appears in Figure III-6.

* UMTA Draft Environmental Statements are circulated for comment to Federal agencies. Figure III-7 lists these agencies. Information copies are forwarded concurrently to the Office of Program Planning (UPP) and the OST Office of the Assistant Secretary for Environment and Urban Systems (TEU). At least 30 days must be allowed for receipt of comments from Federal agencies (45 for EPA comments), with an additional 15 days when requested, if feasible. Two copies of the summary sheet (see Figure III-8) are forwarded to the Office of Management and Budget (OMB).

* The Office of Program Operations makes the Draft Statement available to the public upon written request or application in person to UMTA, and to the clearinghouses to which the applicant circulated the environmental statement. Notice of its availability shall be published in a newspaper of general circulation in the geographic area to be affected by the proposed project. When appropriate (e.g., informational copies or multiple copies), those who request Draft and Final Statements from UMTA should be advised of their availability from the National Technical Information Service, U. S. Department of Commerce, Springfield, Virginia 22151.

* State and local agency comments, which have been made to the applicant and forwarded to UMTA, are to be forwarded to the CEQ at the time the UMTA Draft Statement is circulated for comment, unless there has been a major revision in the applicant's environmental analysis. Where additional comments are invited from an

A-95 clearinghouse by UMTA as a result of such major revision, the clearinghouse should forward a copy of any revised comments to CEQ as well as to UMTA within 30 days. If no revised comments or other communications are received within 30 days, UMTA forwards all of the original comments received from the clearinghouse to the CEQ. Project approval shall not take place less than 90 days after the UMTA Draft Environmental Statement has been made available to appropriate Federal agencies, the CEQ and the public.

(e) UMTA Final Environmental Statement--Preparation and Distribution--

* On the basis of comments received after the circulation of the draft statement as provided in subsection 5b(4)(d), and any other information deemed necessary, the Office of Program Operations prepares a final Environmental Statement (see Figure III-6 for format). Comments received from State and local agencies, from Federal agencies outside DOT, and from the public shall be evaluated in the text of the Final Statement and appended to it.

* The Final Statement (and required comments), in original and 12 copies are forwarded to TEU for concurrence; one copy is forwarded concurrently to the Office of Program Planning. TEU has two weeks to act on the Statement and forward the requisite copies of the Final Statement and comments to the CEQ; TEU will provide written notice within two weeks if it does not concur. The Final Environmental Statement and comments are then made available to the public and to clearinghouses in the same manner as for the Draft Statement. A copy of the Final Statement and comments are sent to any agencies or private organizations that commented substantively on the Draft Statement. Two copies of the summary sheet shall be forwarded to OMB.

* Project approval cannot take place less than 30 days after the procedures outlined

here have been completed. The approved Final Environmental Statement and comments are appended to the approval package. No application requiring an Environmental Statement shall be submitted for approval by the Administrator without an approved Final Statement.

(f) Applications Involving Section 4(f) of the DOT Act--Any application that requires the use of any publicly owned land from a public park, recreation area, wildlife or waterfowl refuge, or any land from a historic site of national, State or local significance, requires an Environmental Statement. In addition to the information and analysis required to be included in all Environmental Statements (see Figure III-6), additional information must be included by the applicant where the action involves any such land.

This additional information must address the following points in separately numbered paragraphs:

* Description of "any publicly owned land from a public park, recreation area or wildlife refuge" or "any land from a historic site" involved in or taken by the project, including its size, available activities, use, patronage, relationship to other similarly used lands in the vicinity of the project, maps, plans and drawings showing in sufficient scale and detail the project and its impact on park, recreation, wildlife, or historic area, and slides, photographs, etc., as appropriate.

  Similar data, as appropriate, for alternative designs and locations, including cost estimates and technical feasibility, and appropriate analysis of the alternatives.

  A statement of the "national, State or local significance" of the area. Any finding that such land or site is not of significance must be supported by evidence from the Federal, State or local agency having jurisdiction over the area.

* Proposed Final Environmental Statement, for projects covered by section 4(f) of the DOT Act are accompanied by a brief, covering memorandum with signature lines for the concurrence of the Assistant Secretary for Environmental and Urban Systems (TEU-1), the General Counsel (TGC-1), and the Under Secretary (S-2), and approval by the Secretary. They are submitted to TEU.

* Any terms or conditions of the Secretary's approval will be incorporated in the UMTA grant contract. Any proposals to deviate from the terms of the Secretary's approval must be cleared with TEU.

* Description of all planning undertaken to minimize harm to the protected area and statement of actions taken to implement this planning.

* A specific certification that there is no feasible and prudent alternative to the use of such land and that the proposal includes all possible planning to minimize harm to the "4(f) area" involved.

(g) Applications Involving Section 106 of the Historic Preservation Act--Where the application involves a district, site, building, structure, or object that is included in the "National Register," the applicant's Environmental Analysis should also address the following points in separately numbered paragraphs:

* Steps taken to take into account the effect of the proposal on National Register property.

* Records of consultations, if any, with the Office of Archeology and Historic Preservation of the National Park Service.

* Records of consultation with, and action, if any, by the Advisory Council on Historic Preservation (with a statement that subsequent Council actions, if any, will be attached).

outlined by the project sponsor. Project sponsor and/or UMTA shall have the right to conduct periodic maintenance inspections for the purpose of confirming the existence, condition and the proper maintenance of the project equipment.

* Title to the project equipment shall at all times remain with the project sponsor. Upon termination of the lease agreement or if the Lessee goes out of business, the project equipment shall be returned to the project sponsor in the same condition as when received by the Lessee, reasonable wear and tear resulting from use thereof alone excepted.

* Lessee will carry proper insurance covering losses that may be incurred as a result of the operation and maintenance of project equipment, and the project sponsor will be a named insured upon any such insurance policies maintained by the Lessee. Lessee shall provide project sponsor with certificates indicating that such insurance is in effect.

(3) Pre-Award Review.--The following reviews are made by UMTA representatives prior to recommending approval of proposed third-party contracts:

(a) Technical Review--

Made by the Division of Project Management to ensure that the proposed procurement is in conformance with the overall project objective, that the work described is properly phased into the work schedule and project plan, and that the estimated costs appear reasonable in light of the work to be performed. Moreover, a review is made of the quantity of goods and/or services to be received to ensure that it is consistent with the established requirement.

(b) Administrative Review--

Made by the Division of Project Management to verify that the contract contains all required standard clauses and is in the required format. To assist the project

manager in making these reviews, individual checklists have been devised for each type of procurement contract (see Figures IV-7 through IV-9). Information needed to complete these checklists is obtained either from the project file (Approval Memorandum and Final Application), or through direct contact with the project sponsor.

Concurrently with the administrative review, the proposed specifications and plans are reviewed by UMTA for orientation purposes. Moreover, for professional services contracts, a general evaluation is made of the contractor's competence and ability to perform within the proposed time and monetary constraints.

With the assistance of the Procurement Specialist (UAD-43), and the Third-Party Contract Review Board, the Division of Project Management reviews the contract to assure that the proposed efforts and payment for such efforts are both consistent and reasonable. The functions and responsibilities of the Third-Party Contract Review Board are prescribed in the following section.

d. Third-Party Contract Review Board.

A Third-Party Contract Review Board has been established in UMTA to review certain proposed contractual arrangements between grantees and third-party contractors. The following third-party contracts requiring UMTA concurrence will be referred to the Board for review:

* Sole-source contracts for $2,500 or more, except when specific equipment items are required for compatibility with equipment previously installed.

* Negotiated contracts over $10,000 except for (a) force-account work and (b) architectural and engineering services.

This review is in addition to any other reviews required by UMTA procedures. No appeal will be taken from the decisions of the Office of Administration or the Board without the specific concurrence of the Associate Administrator whose program is involved. As soon as the UMTA program office

has determined that a contract meets the above criteria and is within the scope of the approved project, the contract shall be forwarded together with any supporting material submitted by the project sponsor, to the Office of Administration, (UAD-43).

The Contract Review Board shall then convene and:

* Review the steps taken in arriving at the proposed award, to ensure that correct procedures have been followed and that all actions have been properly documented.

* Review justifications for sole-source or negotiated contracts in excess of $2,500 for adequacy and consistency with UMTA policy.

* Review the proposed contract to assure that the contractor's efforts and payment therefor are consistent and reasonable, overhead rates are adequately supported or that provisional rates will be used until a final rate is established, and the method of payment and amounts specified by cost category are firmly established so as to facilitate subsequent review and audit by the Government.

* Prescribe, in cases where it is appropriate, alternative procurement actions to that proposed.

* As soon as UPO-20 or the Division of Technical Studies (UPO-30) has determined that a contract is (a) subject to these instructions, and (b) is within the scope of the approved project, the contract shall be forwarded, together with any supporting material submitted by the grantee, to the Office of Administration. The "Request for Third-Party Contract Review" form (see Figure IV-10) is to be used as the transmittal device.

The Board shall complete its review and furnish the appropriate UMTA program office with the majority view of the Board and any dissenting views within two weeks of receipt of the proposal by the Chairman. In the event it appears that the Board cannot complete its action within that period, it shall advise the cognizant office when action can be expected.

Comments received from the Board shall be referred in writing by the Division of Project Management to the project sponsor for such additional data as the Office of Administration shall require.

Upon completion of the review, the project sponsor shall be advised in writing by the Division of Project Management of any determinations made by UMTA. Upon specific written indication of acceptance of such determinations by the project sponsor, the Division of Project Management shall proceed with its review of the proposed contract.

Any appeal by the project sponsor from a determination of the Contract Review Board shall be referred promptly to the Office of Administration for further action.

Pending receipt of instructions from the Office of Administration with respect to the data it requires from project sponsors in order to conduct its review, and the form in which such data is to be presented, specific questions concerning these requirements shall be referred to the Office of Administration (UAD-43) for determination.

This procedure precludes informal or oral concurrence in the contract to which it applies. Project sponsors must be advised that work can proceed under third-party contracts only after completion of UMTA reviews and its written concurrence in the third-party contract.

e. Relocation Assistance and Land Acquisition.

A detailed presentation of the requirements imposed by the Act and specific procedures to be followed whenever land acquisition and/or relocation are involved in an UMTA project are contained in Appendix 7 of this Handbook. Before acquiring land, the project sponsor shall first obtain two independent appraisals of each land parcel or group of parcels proposed to be purchased with project funds. These appraisals shall follow standard professional appraisal methods and shall clearly distinguish between the value of the land and the value of any structures and improvements.

The purchase price of the land may be negotiated within the amount of the two appraised values. Prior concurrence from UMTA of the proposed purchase price shall be obtained before entering into any binding purchase agreement. The request for UMTA concurrence must be accompanied by one copy of each appraisal.

f. Acquisition of Other Property.

Two independent appraisals shall be obtained for real or personal property not normally acquired through

competitive bidding, such as the purchase of used equipment or existing transit facilities. In the acquisition of transit property, the company's independent appraiser may make one of the appraisals, provided he is technically qualified to appraise transit properties and provided his report fully documents and supports his evaluation.

The purchase price, for real or personal property, may be negotiated within the limits of the two appraised values. Concurrence by UMTA, in the proposed purchase price, shall be obtained before entering into any binding purchase agreement. The request for UMTA concurrence shall be accompanied by one copy of each appraisal and an explanation of the basis upon which agreement was reached.

g. Contract Award.

Construction, materials, or equipment contracts for which formal or informal bids are solicited, should be awarded to the lowest responsive and responsible bidder. Prior UMTA concurrence in these contracts is necessary only if the proposed award is to a party other than the apparent low bidder, if the amount of the contract will require a budget revision, or if displacement of persons from their residences is involved. All other contracts in excess of $1,000 require written UMTA concurrence prior to award.

When the UMTA review has been completed and a positive determination made, a letter of concurrence is written to the grantee. If necessary, the concurrence letter indicates deficiencies in the contract and is qualified based on applicable deletions, additions or corrections. If negative, the letter cites all reasons why UMTA is unable to concur in the contract award. A copy of this concurrence letter is placed in the follow-up folder for later reference.

The project sponsor is required to provide UMTA with copies of all executed contract documents. Contracts for materials or equipment costing $2,500 or less need not be routinely forwarded to UMTA. However, these must be kept available in the files of the sponsor for on-site inspection and/or audit by UMTA. If the project sponsor is delinquent in submitting required contract data, the follow-up file serves to alert the Division of Project Management to request this submittal. When the documents are received by UMTA, they are reviewed to determine if deficiencies cited in the concurrence letter have been corrected.

(1) Post-Award Checklist--A post-award checklist (see Figure IV-11) is used to make reviews of third-party contracts after the award has been made. The explanation following is keyed to the form shown in Figure IV-10.

Question I--These documents must be submitted by the project sponsor and an UMTA representative shall determine whether such submissions have been received.

Question II--This determination is made through comparison with the project budget.

Question III--The project sponsor must have obtained UMTA concurrence prior to making an award to other than the low bidder. This includes, among other circumstances, instances in which the project sponsor determines that the low bid is not responsive, the low bidder is not responsible, or the firm should be disqualified for other reasons. To obtain UMTA concurrence, the sponsor shall submit:

* The tabulation of bids.

* A full statement of the reasons for not awarding to the low bidder, together with any supporting documentation.

* An opinion of the project sponsor's attorney with respect to the legality, under State and local law, of the proposed award.

Question IV--The Office of Civil Rights and Service Development has a list of ineligible bidders which is referred to in answering this question. The reviewer shall also refer to the Comptroller General's list of ineligible contractors.

Question V--This question refers to the "Status Report--Active Projects" which is part of the UMTA Management Accounting and Control System (MACS) explained in chapter II of this Handbook.

Question VI--In the case of a construction project, the project sponsor must arrange and conduct a meeting, with representatives of the contractor's organization, before beginning the construction work. This meeting is to provide to the key members of these organizations, an opportunity to establish lines of authority and communication and to identify their respective duties and responsibilities.

h. Contract Amendment or Change Order.

The project sponsor must obtain concurrence from UMTA prior to the issuance of any third-party contract amendment or change order. To obtain this concurrence, the project sponsor shall submit the following to UMTA:

* A copy of the proposed amendment or change order with appropriate contract identification.

* A narrative explanation of the proposed change and its effect upon the prime contract and the project costs. This shall include a statement of the accumulative costs of all prior cost changes and the original contract amount.

* A description and estimated cost of any further anticipated increases in contract or project costs which will become necessary as a result of proposed changes.

Under some circumstances, prior concurrence by UMTA will not be required for a change order:

(1) In an emergency, a change order may be issued without prior concurrence, but it must be forwarded to UMTA as soon as practicable, so that UMTA may ratify the action. The project sponsor shall indicate clearly the nature of the emergency which precluded prior submittal.

(2) Minor change orders may be issued without UMTA concurrence. A minor change order is defined as one which:

* Does not materially change the project scope,

* Does not cause an overrun in the appropriate budget line-items, or

* Does not change the contract cost by more than $25,000 or two percent of the contract price, whichever is less.

Each such minor change order shall be completely documented in the project files for later on-site audit by UMTA. Each such change shall be reflected in the following Monthly or Quarterly Progress Report.

i. Audit of Third-Party Contracts.

UMTA and the Federal Government are not to be obligated or liable to any person or organization other than the project sponsor. The project sponsor is responsible for the administration of the project, compliance with the terms and conditions of the grant contract, and adequate supervision and inspection of work performed by force account or pursuant to third-party contract. In applying the required supervision

and inspection responsibilities for third-party contract work, there are certain specific financial reviews that should be made by qualified professionals. The need for and nature of these reviews are dependent on the type and amount of the third-party contract(s) involved.

Many UMTA project sponsors assign their own auditors or financial-management-type personnel to these proposal-evaluation and contract-monitoring duties. Some, however, do not possess qualified people to make these required reviews and must obtain these services elsewhere.

Two ready sources for these audit services are qualified independent accounting firms and contract auditors from agencies and departments of the Federal Government. For example, the Defense Contract Audit Agency (DCAA) maintains a continuing audit interest at certain contractor locations which receive DOD contracts, and it will accommodate casual audit requests from non-Defense agencies for audits at other locations where the overall Government interest and effectiveness so dictate.

Costs of third-party audit surveillance and proposal evaluation are allowable for inclusion in the project so long as they are included in the project budget and the contract/agreement between the auditing entity and the project sponsor has been approved in advance by UMTA.

(1) Responsibilities.--It shall be the responsibility of the grantee to administer all third-party contract work and insure that the project is carried out in a sound, economical and efficient manner.

The UMTA Program Audit Division, Office of Administration (UAD-30), shall periodically evaluate selected project sponsors' capabilities in administering third-party contracts and shall offer advice and assistance to grantees for establishing the means for adequate surveillance of third-party contract work. In those instances where outside audit services are to be obtained, the Program Audit Division will assume technical evaluation responsibility for the proposed contract, or agreement with the auditing entity.

The cognizant UMTA program office shall review all proposed contractual agreements between the grantee and outside audit sources to determine that the agreement meets all prescribed administrative requirements. Moreover, after determining that funds are available in the latest approved project budget to cover the requested audit services, and that the contract is technically and legally sound, the UMTA program office shall issue the required UMTA approval. Where other Federal auditors are used for third-party contract audit work, the UMTA Financial Management Division, Office of Administration

(UAD-20), shall prescribe the accounting controls to insure that program funds are used to pay for the audit services, and that the grantee is billed for its share of the audit(s) cost.

(2) Procedures.--The procedures outlined below shall be followed whenever project sponsors request the use of outside audit sources to review and monitor third-party contracts. Such requests will be initially evaluated by the cognizant UMTA program office to insure that funds are available and are identified for audit in the latest approved project budget. After the funding question is positively resolved, the Program Audit Division shall make a preliminary review to determine whether the request is justified in light of the type of contract and relative amount of project funds involved. If all is satisfactory, the Program Audit Division shall then make a determination regarding whether a Federal contract audit organization or an outside independent public accountant will be selected to make the desired reviews.

(a) When Federal Auditors are to be Used.--

* The Program Audit Division shall process the audit/evaluation request to the appropriate Federal agency audit office and shall estimate how much the required review will cost. The contract audit entity will be instructed to submit copies of all reports and bills for audit services to the Program Audit Division.

* A copy of the audit request accompanied by an estimate of the audit cost shall be provided to the Division of Financial Management (UAD-20).

* The Division of Financial Management shall use the estimate provided by the Program Audit Division to reserve program funds to cover the estimated cost of the audit.

* The Program Audit Division shall review the contract audit reports and forward them along with comments to the UMTA program office

administering the grant project involved. The program office is responsible for issuing the report to the grantee for action purposes.

* The Program Audit Division shall review all contract audit bills and, where found acceptable, shall provide a certification to the Financial Management Division indicating approval for payment.

* The Financial Management Division shall pay the audit bill citing program funds and it shall establish the accounting procedure for "billing" the project sponsor its share of the audit cost. This shall be accomplished by reducing subsequent cash requisition(s) in the amount of the sponsor's share of the audit cost. The Financial Management Division shall also inform the sponsor of the total audit cost and shall instruct the sponsor to include the total audit cost in the periodically required project financial reports.

(b) When an Independent Public Accountant is to be Used.--

* The project sponsor shall apply the procedures specified in the "UMTA External Operating Manual" in seeking a contractual arrangement with an independent public accountant (IPA) for third-party contract audit services. A complete package must be submitted to UMTA showing the proposed audit coverage, the billing rates by labor classification, and the proposed form of contract between the grantee and the IPA.

* The Program Audit Division shall make a technical evaluation of the professional-services-type procurement to insure that the audit coverage is adequate, the proposed price is

reasonable in light of the services to be rendered, the proposed audit firm is in good professional standing, and the type of contract and method of payment are acceptable. The Program Audit Division's recommendations shall then be forwarded to the cognizant UMTA program office.

* The program office shall insure that all the legal and procedural requirements for third-party professional services contracts have been satisfied by the grantee and, if all is found satisfactory, shall approve the audit contract. Work papers generated by the IPA must be made available for review by UMTA representatives. These records must be retained for a period of three years subsequent to the official closeout date.

* The grantee shall be instructed to forward copies of all third-party contract audit reports to UMTA, Attention: UAD-30.

3. CODING DOCUMENTS FOR PROGRAM ACCOUNTING COST ALLOCATION

The Project Manager is responsible for indicating the program code number on certain documents which affect cost allocation of program funds. These are the so-called accounting documents which are forwarded to the Financial Management Division (UAD-20). Accounting documents include the following:

a. Approvals.

* Non-Federal Organizations--Any letter, memorandum, or form used to officially notify an applicant, proponent, or successful bidder of a grant or contract award.

* Federal Organizations--Any letter, memorandum of understanding, or interagency

agreement that indicates mutual acceptance of a project or task.

b. Amendments (or Modifications)--Non-Federal and Federal.

Any letter, memorandum form, or interagency agreement used to officially notify (or indicate acceptance of) grantees, contractors, or participating agencies of a change in the financial terms and conditions of an ongoing project.

c. Requisition for Grant Payments.

d. Other Billings.

Any invoice, statement, or voucher used to claim payment (or request advances) under contractual agreements.

e. Cancellations.

Any letter, memorandum, or form used to officially notify a grantee, contractor, or participant of UMTA's cancellation of the undisbursed balance of an approved grant, contract, or agreement.

f. Collections or Refunds.

Any statement or UMTA bill accompanying a remittance from a grantee, contractor, or participant. If a statement is not provided by the tendering organization, a memorandum must be prepared to properly identify the project, with the program code applicable to the transaction.

DOT Order 2700.5A, "Consolidated Accounting System Users Manual," provides a full discussion of the system and requirements. To determine the appropriate program code number, see Figure IV-12.

4. ON-SITE VISITS AND ENGINEERING INSPECTIONS

On-site visits and engineering inspections are made by UMTA project managers and the Field Engineering Branch of the Division of Project Management. A "Construction Inspection Report" (Figure IV-13) and a trip report are usually prepared and included in the official UMTA project files to document the results of the field visit.

Civil Rights' specialists of the UMTA Office of Civil Rights and Service Development may also periodically visit grantee and third-party contractor facilities to conduct

reviews to ensure compliance with the Civil Rights Act of 1964, executive orders, and various DOT and other Federal agency implementing regulations. A detailed description of the civil rights reviews is contained in the UCR publication, "Contract Compliance and Title VI Manual for Civil Rights' Specialists," dated March 1971, provided as Appendix 6 to this Handbook. Sample copies of the forms used in reporting the results of these on-site visits are shown in Figures IV-14 and IV-15.

The on-site visits and engineering inspections serve to assure that:

* Construction and other reports submitted to UMTA have been accurate.

* The project is sufficiently staffed. (The project sponsor is to provide continuous administrative direction to project operations.)

* The project sponsor's field inspection staff, or authorized representative, is reasonably competent. That is, adequate technical inspection and supervision of all work in progress has been provided by qualified professionals, either directly or by contract.

* Normal materials testing procedures are being followed.

* Proper records are maintained. These include:

  -- Contracts for materials or equipment costing $2,500 or less that need not be forwarded to UMTA.

  -- Air pollution control documents.

  -- Land acquisition records.

  -- Certified records of force account payments.

  -- Certified payroll records that have been obtained from each contractor and subcontractor within seven days after the regular

payroll data. These records must contain all the payroll information and certifications called for on Department of Labor Form WH-347. The contractor may use his own payroll form provided it includes the same information and certifications as the Department of Labor form.

-- Project accounting records.

* Computations made for partial and final payments of third-party contracts are in good order.

* Title VI requirements and equal employment opportunity is being met, to include the posting of a notice on the construction site that advises all applicants and employees of the Federal Government's nondiscrimination policy.

* Project signs and wage rates are posted.

* Work is proceeding on schedule.

* Work is within the scope of the project.

An on-site visit will also disclose possible problems the sponsor is having that may delay the project. In addition, minor questions regarding the program and Federal requirements and procedures can be answered, thereby reducing future difficulties. Moreover, interim field audits may be requested of Program Audit Division representatives whenever the project manager deems such action advisable.

a. Contact with Secretarial Representative.

The Secretarial Representative in the region should be kept informed of the on-site inspection schedule, and of any matters on which he might be of assistance. The Office of Program Operations informs the Secretarial Representative of significant matters observed during the course of on-site inspections and other matters in which he may be of assistance.

b. Utilization of DOT Field Contract Inspection Staffs.

Project officers should keep in mind that existing field inspection services are available in other DOT administrations, and may be utilized by UMTA (at cost reimbursement) to perform necessary inspections when the project officer is unable to do so himself. DOT Order 4200.6A, "Field Contract Inspection Staffs," states the policy and procedure for the cross-service utilization of such staff, and attaches a list of such available staff by geographic location and technical field of expertise.

5. PROJECT REPORTS

Regular progress reports are required on all projects. Other reports may also be requested in connection with specific projects and the subject matter covered will vary depending on the needs of UMTA.

A progress report may be published and distributed by the project sponsor; however, this should not delay timely submission of progress reports to UMTA.

The following statement should appear on the cover or title page of any published report concerning UMTA projects: "The preparation of this report has been financed in part through a grant from the U. S. Department of Transportation, Urban Mass Transportation Administration, under the Urban Mass Transportation Act of 1964, as amended."

The project sponsor is responsible for submitting the following progress reports on capital grant and loan projects:

* Quarterly Progress Reports
* Monthly Construction Reports
* Financial Reports

a. Quarterly Progress Reports.

Two copies of the quarterly progress report for active capital grant projects are due quarterly, by the fifteenth of the month following the end of the quarter. The Division of Project Management (UPO-20) is responsible for the review of these reports and for maintaining control records to insure that overdue reports are called up promptly. Upon receipt of a quarterly progress report, it shall be routed to the appropriate program assistant or project engineer in the Division of

Project Management for review. Each report shall be reviewed promptly and in accordance with the following criteria:

* Does the report generally contain the following required information:

  -- A narrative description of activities and accomplishment during the calendar quarter including any relocation program activities.

  -- A narrative description of any difficulties or delays encountered.

  -- Photographs showing features typical of the work program.

  -- Progress charts showing the status of major elements of the project and the relationship between the proposed or anticipated rate of progress and the actual rate of progress.

  -- A schedule of activities planned for the next quarter such as completion of design, advertisements for bids, contract awards, special events, and any anticipated difficulties or delays.

  -- Percentage of completion of the project.

* Does the project, as it is being carried out, conform to the approved project scope?

* Is the project on schedule? If project completion will be delayed, are steps being taken either (a) to bring the project back on schedule or (b) to adjust other events that may depend upon project completion?

* Generally, is the project sponsor complying with the terms and conditions of the grant contract?

Review comments and exceptions shall be brought to the attention of the project sponsor in writing. Significant exceptions or problems also shall be brought specifically to the attention of the Division Director and the Associate Administrator for Program Operations.

The person reviewing each report shall evidence completion of his review by signing and dating the cover sheet or first page of the report. After completion of the review, the progress report shall be routed to any other interested parties (engineer-inspectors, etc.), and then to the UMTA project files.

b. Monthly Construction Reports.

Two copies are submitted to UMTA within 15 calendar days after the end of the reporting month. Quarterly construction reports are submitted in lieu of monthly reports for the month in which a quarterly report is due. The report covers work items underway and items to be performed. The report covers all activities under third-party contract or under force account, and should show the percentage of completion of all major elements of construction. The construction report also serves to report strikes, work stoppages, etc.

There is no set format for the construction reports, but they should contain a narrative explaining the work performed during the reporting period and the work planned for the next reporting period.

c. Financial Reports.

There are four financial reports due on active capital grant projects. The Statement of Financial Condition and the Grant and Contract Status Reports are due monthly, by the fifteenth of the month following the reporting month. The Quarterly Projection of Cash Needs is due by the fifteenth of the month following the end of the fiscal year quarter.

All four reports are routed by the Program Administration Division to the Financial Management Division. The Financial Management Division is solely responsible for review and action on the Grant and Contract Status Reports and Quarterly Projection of Cash Needs. After reviewing the Statements of Financial Condition Reports, the Division of Financial Management forwards them to the Division of Project Management.

(1) Statement of Financial Condition--The Division of Project Management is responsible for the review of these reports and for maintaining control records to insure that overdue reports are called up promptly. UMTA can substitute a bimonthly for the normal monthly reporting requirements of the

statement of financial condition when the grantee can prove that the monthly requirement is burdensome. A statement of financial condition shall be routed upon receipt of the appropriate program assistant or project engineer for review. Each report shall be promptly reviewed in accordance with the following:

* Does the report contain the information and is it generally in the format prescribed in the "UMTA Accounting Procedures" document?

* Is the project within the approved budget, in total and by line item? If cost overruns have occurred or appear likely, are arrangements being made either (a) to revise the project budget, (b) to curtail the scope of the project, or (c) to secure additional financing?

Review comments and exceptions shall be brought to the attention of the project sponsor in writing. Significant exceptions or problems shall also be brought specifically to the attention of the Division Director and the Associate Administrator for Program Operations.

The person reviewing each report shall evidence completion of his review by signing and dating the first page.

After completion of the reviews, all financial reports shall be routed to any other interested parties (engineer-inspectors, relocation specialist, etc.), and then to the files.

(2) Contract Status Report--The Contract Status Report (Figure IV-16), on the accrued value of contract work performed and services rendered, must be submitted to UMTA every month by the grantee or contractor. This is to provide consolidated accrual data on all contracts in a project which provide for services, construction, or the manufacture and fabrication of items in accordance with the grantee/contractor's own specifications. Purchase-order contracts for furnishing off-the-shelf production items that the contractor keeps generally available for public sale should not be included in the Contract Status Report.

The Contract Status Report must provide consolidated data for all pertinent contracts and subcontracts. When obtaining the data, it should be made clear that a prime contractor is responsible for including the activities of its subcontractors.

In completing the report for cost-type contracts, data are to be reported in terms of performance, including profit or fee. In the case of fixed-price contracts, it is not necessary for a contractor to report actual costs, but only to report the amounts earned, including profit or fee, based on the stage of completion or other satisfactory evidence of performance under the contract.

The Consolidated Contract Status Report is due in UMTA (two copies) not later than the tenth day of the month following the period covered by the report.

(3) Grant Status Report--The Grant Status Report is required of UMTA's grantees on a monthly basis and is designed to provide information on the value of work performed and services rendered during the reporting period. Figure IV-17 is a sample of the Grant Status Report.

(4) Quarterly Projection of Cash Need--Fifteen days prior to the close of each calendar quarter, grantees estimate the amount of Federal cash that will be required in the ensuing quarter. The information presented discloses the amount needed for each of the three months involved (see Figure IV-18). Information submitted is required to plan future Federal cash outlays. The original and one copy of the estimate are to be mailed to UMTA, Attention: Division of Financial Management (UAD-20) in time to arrive by the first day of the next calendar quarter.

6. MONITORING PROJECTS--USE OF MANAGEMENT ACCOUNTING AND CONTROL SYSTEM (MACS)

UMTA is responsible for monitoring project performance and control of project expenditures. To keep current, the Division of Project Management uses all available capabilities of the DOT/UMTA Management Accounting and Control System (MACS).

A primary method of monitoring the progress of active projects is the Active Project Status Report, which is part of UMTA's Management Information System. The Division of Project Management is responsible for a monthly updating of the report. This is done to ensure its accuracy and timeliness. The report is issued on the last day of each calendar month.

7. REQUISITION REVIEW AND APPROVAL

Form UMTA-6, "Requisition for Grant Payment" (Figure IV-19), is used in requisitioning Federal funds for approved grant projects under the Urban Mass Transportation Act of 1964, as amended. It is furnished to the grantee in sets of six with a covering instruction sheet.

The original and four copies must be submitted. Each requisition should be for only one project and one type of grant, and numbered consecutively. It should be received in UMTA at least 20 days in advance of cash needs, to allow time for processing by UMTA and the Treasury (which sends the grant payment direct to the grantee).

Grant funds may be requisitioned only after the grant contract has been fully executed. Requisitions may be for reimbursement of project costs incurred pursuant to the grant contract, or for an advance on costs to be incurred during the next month. No advance of funds will be approved for more than one month, since drawdowns are expected to be kept to the minimum needed for current operations. The amounts for reimbursement and advance of funds must be shown separately on each requisition.

When 90 percent of the maximum Federal grant has been paid out, further payments will be withheld, except upon adequate justification, until a final audit of the project account has been made by the Department.

Approval of each requisition for payment is contingent upon the availability of the following:

* Submittal of an explanation of the purposes for which costs have been incurred or are reasonably expected to be incurred within the requisition period, with copies of invoices for major equipment purchases.

* Certification or documentation to show that the required non-Federal share of project costs are adequate, when combined with the Federal payments, to cover all costs to be incurred to the end of the requisition period.

* Certification of full compliance with all the provisions of the contract, and no known circumstances which might significantly endanger the timely performance of the project.

* Submittal of all financial and progress reports then due.

Requisitions will be logged-in by the Program Administration Division, routed to the Division of Financial Management, and then forwarded to the Division of Project Management, where an administrative review will be performed. A standard check-off

review form (see Figure IV-20) will be used to indicate each review and recommendation for payment. A standard transmittal memorandum (see Figure IV-21) will be prepared, and the entire package routed for Chief Counsel review and certification on the requisition. When the Chief Counsel's Office has completed its review, the package is then returned to the Associate Administrator for Program Operations for signature.

8. CHANGES IN PROJECT BUDGET

When the project sponsor submits a request for budget change or a proposed budget revision, it is forwarded by the Program Administration Division (UAD-10) to the Division of Project Management for review. This division reviews the requested change within the context of (1) appropriateness of the change within the scope of the approved project, (2) soundness of the explanation and justification for the requested change, and (3) availability of funds within the line item or total budget amount. The Division of Project Management also should be cognizant of the necessity for budget revisions, and in those cases where appropriate, should suggest that the grantee submit a request for budget revision.

The Office of Management and Budget (OMB) has prescribed, in OMB Circular No. A-87, uniform principles and standards for determining costs allowable under Federal grants and contracts with State and local governments. In essence, costs are allowable if:

* They are made in conformance with the project description, the project work statement, the project budget, and the provisions of the contract.

* They are necessary to accomplish the project.

* They are reasonable for the goods or services purchased.

* They are actual net costs to the grantee or contractor (i.e., the price paid minus any refunds, rebates, or other items of value received which have the effect of reducing the cost).

* They are incurred (and be for work performed) after the date of the contract, unless other specific authorization is made in writing by UMTA.

* They are satisfactorily documented.

* They are treated uniformly and consistently in accounting policies and procedures approved or prescribed by UMTA for the project, and those approved or prescribed by the grantee or contractor for its subcontractors.

When a proposed budget revision will result in an increase in total project cost, the sources of local funds to cover the overrun must be specifically identified. Any additional Federal grant funds, or a change in the scope of the project, would necessitate a grant contract amendment.

A revised budget normally follows the same format as the latest approved project budget. After the Division of Project Management has prepared the revised project budget and approval letter, it is routed through the Director, Project Management Division, to the Associate Administrator for Program Operations for approval. It is then forwarded to the project sponsor.

9. RELOCATION PROGRAM

UMTA management of relocation programs carried out in conjunction with capital grants and loans will be based on DOT regulations. See Appendix 7 for the applicable regulations regarding relocation.

10. ACQUISITION OF PROPERTY

The project sponsor must obtain two independent appraisals of real or personal property not normally acquired through competitive bidding, such as the purchase of used equipment or existing transit facilities. In the acquisition of transit property, the company's independent appraiser may make one of the appraisals, provided he is technically qualified to appraise transit properties and provided his report fully documents and supports his evaluation.

The purchase price for real or personal property may be negotiated within the limits of the two appraised values. Concurred in by UMTA, the proposed purchase price must be obtained before entering into any binding purchase agreement. The request for concurrence is accompanied by one copy of each appraisal and an explanation of the basis on which agreement was reached.

11. ONE-SIXTH GRANT RELEASES

When a planning evaluation memorandum is completed by the Technical Studies Division (UPO-30) indicating whether a sponsor has qualified for the additional one-sixth grant, the Division of Project Management (UPO-20) takes action appropriate to the two circumstances described below.

a. Sponsor Qualified.

If the sponsor has been found qualified, a letter is prepared for the signature of the Administrator. This letter advises the sponsor that the grant has been increased, indicates the dollar amount, and states that future requisitions should reflect participation on a two-thirds Federal and one-third local participation basis. See Figure IV-22.

A memorandum is forwarded to the Administrator by the Office of Program Operations (UPO) recommending that the funds reserved in connection with the original project approval be released. A copy of the planning evaluation memorandum indicating that the sponsor meets full planning requirements is attached as in Figure IV-23.

A draft press release and a grant notification form are not needed. The one-sixth grant release approval package, therefore, contains:

* Letter to project sponsor

* Approval memorandum

* Planning report

This approval package is routed as prescribed in Appendix 14.

b. Sponsor Not Qualified.

If the sponsor is not found qualified for the one-sixth grant release, a letter is prepared for signature of the Associate Administrator for Program Operations advising the sponsor that the planning requirements of section 4(a) of the Act were not met within the three-year period following the date of execution of the grant contract. The sponsor is advised of the specific planning deficiencies that resulted in the negative determination.

If the project has been closed, a memorandum is forwarded by the Program Administration Division, to the Accounting Operations Division (TAD-45), Office of the Secretary,

showing the final financial settlement with the grantee, and requesting the cancellation of the remaining grant reservation. Only the one-sixth grant reservation is cancelled. If the project has not been closed, this memorandum is routed through the Transportation Representative, Division of Project Development (UPO-10).

12. AMENDING THE GRANT CONTRACT

An amendment to the grant contract may become necessary to change materially the scope of the project, alter the design of the project, change the project cost or the amount of the Federal grant.

In circumstances where the project will be unduly delayed or substantial cost increases will occur as a result of waiting for an amendment to be processed, the Associate Administrator for Program Operations may authorize the grantee to commit local funds to cover the increase in the net project cost figure or items which change the scope of the approved project. This authorization is made without prejudice to the grantee's request for an amendment to include the cost or items. If the grantee will completely finance this cost increase or change in scope with local funds, the Associate Administrator may approve the request by revising the project budget.

Any request to amend the grant contract shall be submitted by the grantee by letter. A requested change in the project scope must be specifically identified and explained. Any request for a change in funding shall be accompanied by:

* A revised budget, in the same format as the original.

* An amended legal opinion.

* Evidence of the availability of appropriate local matching funds.

* An authorizing resolution or comparable document approved by the applicant's governing body.

In those cases where the sponsor submits a request for project amendment which either (1) changes the project cost and the amount of the Federal grant, (2) alters the design of the project without materially changing the scope of the project, or (3) a combination of these two, the amendment shall be processed by the Division of Project Management.

These types of amendments normally do not require a new planning finding, a new labor clearance or another UMTA legal opinion, as the scope of the project is not being changed. Amendments which materially change the scope of the project are the responsibility of the Division of Project Development and are reviewed and approved like a new application.

If the project change does not require a contract amendment, it may be authorized and executed by the Associate Administrator on the recommendation of Project Management Division. If it requires additional Federal funds, then the processing is the same as for an original project approval except the Project Management Division will perform the duties conducted by the Transportation Representative discussed above in section 6 of chapter III. Figures IV-24 and IV-25 provide examples of an approval memorandum and approval letter for a project amendment which changes the project cost and the amount of the Federal grant.

13. DISPOSAL OF NONEXPENDABLE PROJECT PROPERTY

When the grant contract calls for the disposal of facilities or equipment as a part of the project, e.g., the sale of buses which are replaced by project buses, the project sponsor must sell the property at the highest price obtainable at public or private sale, subject to approval of the sale price by UMTA. All the proceeds from any property sale shall be deposited in the project account. If the property is not sold, the sponsor deposits in the project account an amount equal to the fair market value of the property, which amount has been approved by UMTA based on expert and objective appraisal.

14. PROJECT COMPLETION, AUDIT, AND CLOSEOUT

a. Project Completion.

When all project activities have been completed and all project costs incurred, the project sponsor submits UMTA Form 38, "Certification of Project Expenses" (see Figure IV-26 This form and instructions for its preparation are supplied to the project sponsor by the Division of Project Management (UPO-20) when the project is nearing completion. This report must be submitted to the Division of Project Management within 30 days after project completion. It is first reviewed by the Division and then made part of the project file.

When the report has been accepted by the Division, a final audit is requested. If the project involves construction, a final inspection will be made of the project by the

Division before the final audit is requested. Other projects may also be subjected to a final inspection whenever the Associate Administrator for Program Operations deems it appropriate.

When the project has been completed, the Division of Project Management requests that the Program Audit Division (UAD-30) make a final audit of the project.

The following criteria shall be used in determining when a project is completed:

* All tasks for which funds were authorized are completed and evidence exists to substantiate the completion. The UMTA final inspection satisfies this for a construction project. If equipment acquisition is involved, the equipment should have been received and put to the use for which intended.

* All costs have been charged to the project. A completed UMTA Form 38, "Certification of Project Expenses," fulfills this criteria.

* Final financial reports (balance sheets) have been received and project costs are categorized in conformity with the latest approved project budget.

* A comparison has been made of actual costs incurred with budgeted amounts and all line-item overruns and unbudgeted items have been resolved. The latest approved project budget includes all changes necessitated by the resolution of actual costs, line-item overruns, and unbudgeted items, and represents the final budget.

The Office of Administration (UAD) is responsible for providing accounting documentation missing from the project file or resolving questions concerning transfer of funds, payments, or project funding balances. Projects will be placed in a "completed" status when the request for final audit has been issued.

b. Project Closeout.

When closing out a project, the Grant Project Closeout Checklist (Figure IV-27) is to be completed by the Division of Project Management. When it has been determined that sufficient activities have been completed for a final audit, the

Audit Request Form (Figure IV-28) is completed and forwarded along with the Certification of Project Expenses to the Program Audit Division (UAD-30). After the audit report is issued and audit findings have been resolved, the Grant Project Closeout Checklist is completed through item c9 and forwarded to the Office of Administration for final processing.

The Office of Administration will transfer the project to the "closed-out" status when the final audit findings have been resolved and the final requisition has been paid or the grantee has refunded any Federal grant overpayments. For UMTA's collection procedures, see chapter XXIII.

c. Final Audits.

The Program Audit Division (UAD-30) is responsible for providing audit coverage for all UMTA grants and contracts, and for reporting to UMTA management on the results of their review. Most audits are requested after the project has been completed; however, UAD-30 does make interim audits of certain projects involving large sums of money and extending through two or more years.

All matters relating to audit (either completed, in process, or proposed) shall be directed to the Office of Administration (UAD-30), and in those instances where outside auditors are used, all contact with the activity or entity which conducted the audit shall be made by the Office of Administration. The Program Audit Division shall retain working papers and other pertinent material generated as a result of audit and shall provide technical guidance and assistance to UMTA program management officials to facilitate resolution of audit findings.

The Office of Program Operations (UPO) is the designated action office for Program Audit reports made on capital grant and loan and technical studies projects and, as such, is required to reply within the established time frame to audit findings reported by the Office of Administration. UPO is responsible for providing the grantees with copies of the audit reports and for resolving the findings contained therein. It shall seek legal counsel where appropriate, and shall conduct whatever additional research is necessary to resolve the reported audit findings; however, any proposed action with respect to the audit findings shall be coordinated with the Office of Administration before any related correspondence or other notification is made to the grantee.

The Administrator, UMTA, is responsible for final action on those audit findings which cannot be mutually resolved by the Office of Administration and the program management officials.

Division before the final audit is requested. Other projects may also be subjected to a final inspection whenever the Associate Administrator for Program Operations deems it appropriate.

When the project has been completed, the Division of Project Management requests that the Program Audit Division (UAD-30) make a final audit of the project.

The following criteria shall be used in determining when a project is completed:

* All tasks for which funds were authorized are completed and evidence exists to substantiate the completion. The UMTA final inspection satisfies this for a construction project. If equipment acquisition is involved, the equipment should have been received and put to the use for which intended.

* All costs have been charged to the project. A completed UMTA Form 38, "Certification of Project Expenses," fulfills this criteria.

* Final financial reports (balance sheets) have been received and project costs are categorized in conformity with the latest approved project budget.

* A comparison has been made of actual costs incurred with budgeted amounts and all line-item overruns and unbudgeted items have been resolved. The latest approved project budget includes all changes necessitated by the resolution of actual costs, line-item overruns, and unbudgeted items, and represents the final budget.

The Office of Administration (UAD) is responsible for providing accounting documentation missing from the project file or resolving questions concerning transfer of funds, payments, or project funding balances. Projects will be placed in a "completed" status when the request for final audit has been issued.

b. Project Closeout.

When closing out a project, the Grant Project Closeout Checklist (Figure IV-27) is to be completed by the Division of Project Management. When it has been determined that sufficient activities have been completed for a final audit, the

Audit Request Form (Figure IV-28) is completed and forwarded along with the Certification of Project Expenses to the Program Audit Division (UAD-30). After the audit report is issued and audit findings have been resolved, the Grant Project Closeout Checklist is completed through item c9 and forwarded to the Office of Administration for final processing.

The Office of Administration will transfer the project to the "closed-out" status when the final audit findings have been resolved and the final requisition has been paid or the grantee has refunded any Federal grant overpayments. For UMTA's collection procedures, see chapter XXIII.

c. Final Audits.

The Program Audit Division (UAD-30) is responsible for providing audit coverage for all UMTA grants and contracts, and for reporting to UMTA management on the results of their review. Most audits are requested after the project has been completed; however, UAD-30 does make interim audits of certain projects involving large sums of money and extending through two or more years.

All matters relating to audit (either completed, in process, or proposed) shall be directed to the Office of Administration (UAD-30), and in those instances where outside auditors are used, all contact with the activity or entity which conducted the audit shall be made by the Office of Administration. The Program Audit Division shall retain working papers and other pertinent material generated as a result of audit and shall provide technical guidance and assistance to UMTA program management officials to facilitate resolution of audit findings.

The Office of Program Operations (UPO) is the designated action office for Program Audit reports made on capital grant and loan and technical studies projects and, as such, is required to reply within the established time frame to audit findings reported by the Office of Administration. UPO is responsible for providing the grantees with copies of the audit reports and for resolving the findings contained therein. It shall seek legal counsel where appropriate, and shall conduct whatever additional research is necessary to resolve the reported audit findings; however, any proposed action with respect to the audit findings shall be coordinated with the Office of Administration before any related correspondence or other notification is made to the grantee.

The Administrator, UMTA, is responsible for final action on those audit findings which cannot be mutually resolved by the Office of Administration and the program management officials.

d. Processing of Audit Reports.

The Office of Administration submits two copies of each audit report to the Associate Administrator, UPO. Highly significant audit findings will be forwarded in advance of the audit report to the appropriate UMTA officials immediately upon learning of the tentative discrepancy. This advance information, in the form of an audit bulletin, briefly describes the suspect condition and is subsequently followed by the audit report which will provide the specifics of the finding.

The audit report contains a statement requiring the program official of UMTA to reply to the Office of Administration within 60 days after receipt of the audit report. The reply should indicate what action is proposed with respect to resolution of the reported audit findings. The 60-day reply period consists of the time required for:

* UMTA analysis and review of the reported audit findings

* The project sponsor's review of the audit report

* Coordination with the project sponsor on proposed action to resolve the reported findings

The Division of Project Management drafts a letter for the Associate Administrator of Program Operations, advising the grantee of UMTA's action on the audit report. Prior to forwarding the letter, it is routed via the Office of Administration for concurrence. Requisitions for costs questioned in an audit may be withheld, pending resolution of the finding, upon the discretion of the Associate Administrator for Program Operations. Requisitions for costs not questioned in the audit may be processed.

The Administrator, UMTA, receives copies of all audit reports which contain:

* Information which is considered to be of possible congressional interest

* Information which indicates a possibility of fraud or other criminal actions

* Any other information which the Associate Administrator for Administration deems advisable for the Administrator's review

When all the audit findings are resolved, the sponsor is advised of the final financial settlement.

The Grant Project Closeout Checklist is prepared and forwarded to the Office of Administration. No project shall be closed until the Office of Administration has advised UPO that there are no remaining unresolved audit findings for that project.

When the final requisition is prepared for payment, or the refund of an overpayment is received, the Financial Management Division (UAD-20) is notified of the final financial settlement with the grantee, and is requested to cancel funds reserved and not used under the project (see Figure IV-29 and IV-30).

15. RETENTION OF RECORDS

Under the requirements of OMB Circular No. A-102, Federal grantor agencies may not impose record-retention requirements over and above those established by the State or local governments receiving Federal grants, except that financial records, supporting documents, statistical records, and all other records pertinent to a grant program shall be retained for a period of three years, with the following qualifications:

* The records shall be retained beyond the three-year period if audit findings have not been resolved.

* Records for nonexpendable property acquired with Federal grant funds shall be retained for three years after its final disposition.

* When grant records are transferred to or maintained by the Federal grantor agency, the three-year retention requirement is not applicable to the grantee.

* The retention period starts from the date of the submission of the final expenditure report or, for grants that may be renewed annually, from the date of the submission of the annual expenditure report.

* State and local governments may be authorized, if they so desire, to substitute microfilm copies in lieu of original records.

* Where UMTA determines that records possess long-term retention value, other retention arrangements should be made by the project officer, which may include transfer of such records to Federal custody.

Any authorized representative of UMTA, DOT, and the Comptroller General of the United States shall have access to any books, documents, papers, and records of the State and local governments and their subgrantees that are pertinent to a specific grant program, for the purpose of making audit, examination, excerpts, and transcripts.

Unless otherwise required by law, no restrictions may be placed on State and local governments which will limit public access to the State and local governments' records, except when records must remain confidential for the following reasons:

* A clearly unwarranted invasion of personal privacy

* Specific requirement of secrecy by Executive Order or statute

* Commercial or financial information obtained from a person or a firm on a privileged or confidential basis

* Any other information which can be exploited for the purpose of personal gains

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20590

Re: Project No.
Status of Project

Dear

I would appreciate your furnishing us the following information on this project as a basis for the establishment of current project progress records in our Division of Project Management:

1. List the project activities already completed.

2. For project activities in progress, furnish:

   a. Description of each contract, name of contractor, amount of contract, and the estimated date of completion.

   b. The exact status of each contract, describing what remains to be done to complete the contract.

3. List all contracts not yet in progress and give:

   a. Description of the contract.

   b. Estimated date that pre-bid documents will be sent to UMTA for concurrence.

   c. Estimated date that bids will be published or solicited.

Figure IV-1--Request for Schedule
of Project Activities
(Page 1 of 2)

d. Estimated date that contract will be awarded.

e. Estimated completion date for the contract.

4. Estimated percentage of completion of the total project.

5. Estimated completion date for the project.

The above information should be furnished on all project contracts including professional services, equipment, materials, acquisition of transit systems, and construction. It should also cover all other charges and reductions to be made to the project including, but not limited to, real estate acquisition, force account work, relocation, and the sale of land, facilities or used equipment under the project.

All charges, by contract or otherwise, and cost reductions should be aligned to a specific budget classification.

Sincerely,

W. B. Hurd
Associate Administrator

Figure IV-1 (Page 2 of 2)

FEDERAL AVIATION AGENCY

COST AND PRICE ANALYSIS - RESEARCH AND DEVELOPMENT CONTRACTS

Form approved
Budget Bureau No. 04-R128

This form is to be used in lieu of FAA Form 3515 as provided under FAPR 2-16.260-2, it will be executed and submitted with proposals in response to "Requests for Proposals," for the procurement of research and development services. If your cost accounting system does not permit analysis of costs as required, contact the purchasing office for further instructions.

PURCHASE REQUEST NUMBER

NAME AND ADDRESS OF OFFERER

TITLE OF PROJECT

DETAIL DESCRIPTION		ESTIMATED HOURS	RATE/HOUR	TOTAL ESTIMATED COST *(Dollars)*
1. DIRECT LABOR *(Specify)*				
TOTAL DIRECT LABOR				
2. BURDEN *(Overhead - specify)* DEPARTMENT OR COST CENTER	BURDEN RATE	X BASE =	BURDEN ($)	
TOTAL BURDEN				
3. DIRECT MATERIAL				
TOTAL MATERIAL				
4. SPECIAL TESTING *(Including field work at Government installations)*				
TOTAL SPECIAL TESTING				
5. SPECIAL EQUIPMENT *(If direct charge - specify in Exhibit B on reverse)*				
6. TRAVEL *(If direct charge)*				
a. TRANSPORTATION				
b. PER DIEM OR SUBSISTENCE				
TOTAL TRAVEL				
7. CONSULTANTS *(Identity - purpose - rate)*				
TOTAL CONSULTANTS				
8. SUBCONTRACTS *(Specify in Exhibit A on reverse)*				
9. OTHER DIRECT COSTS *(Specify in Exhibit B on reverse - explain royalty costs, if any)*				
10. TOTAL DIRECT COST AND BURDEN				
11. GENERAL AND ADMINISTRATIVE EXPENSE *(Rate % of item nos.*				
12. TOTAL ESTIMATED COST				
13. FIXED FEE OR PROFIT *(State basis for amount in proposal)*				
14. TOTAL ESTIMATED COST AND FIXED FEE OR PROFIT				

FAA Form 4400-2 (5-66) SUPERSEDES FAA FORM 3515-1

Figure IV-2 (Page 1 of 2)

15. OVERHEAD RATE AND GENERAL AND ADMINISTRATIVE RATE INFORMATION		
A. GOVERNMENT AUDIT PERFORMED	DATE OF AUDIT	ACCOUNTING PERIOD COVERED
B. NAME AND ADDRESS OF GOVERNMENT AGENCY MAKING AUDIT	C. DO YOUR CONTRACTS PROVIDE NEGOTIATED OVERHEAD RATES? ☐ NO ☐ YES *(If yes, name Agency negotiating rates)*	

D. *(If no Government rates have been established furnish the following information)*

DEPARTMENT OR COST CENTER	RATE	BASE	TOTAL INDIRECT EXPENSE POOL	BASE FOR TOTAL

16. EXHIBIT A - SUBCONTRACT INFORMATION *(If more space needed, use blank sheets, identifying item number)*

NAME AND ADDRESS OF SUBCONTRACTOR(S)	SUBCONTRACTED WORK	SUBCONTRACT	
		TYPE	AMOUNT

17. EXHIBIT B - OTHER DIRECT COSTS *(Specify. If more space needed, use blank sheets, identifying item number)*

CERTIFICATE

The labor rates and overhead costs are current and other estimated costs have been determined by generally accepted accounting principles. Bidder represents: (a) that he ☐ has, ☐ has not, employed or retained any company or person *(other than a full-time bona fide employee working solely for the bidder)* to solicit or secure his contract, and (b) that he ☐ has, ☐ has not, paid or agreed to pay to any company or person *(other than a full-time bona fide employee working solely for the bidder)* any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of this contract, and agrees to furnish information relating to (a) and (b) above, as requested by the Contracting Officer.

(For interpretation of the representation including the term 'bona fide employee,' see (Code of Federal Regulations, Title 44, Part 150.)

NUMBER OF CONTRACTOR EMPLOYEES		STATE INCORPORATED IN
☐ 500 AND UNDER	☐ OVER 500	
☐ OVER 750	☐ OVER 1,000	

DATE	SIGNATURE AND TITLE OF AUTHORIZED REPRESENTATIVE OF CONTRACTOR

Figure IV-2 (Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
400 SEVENTH STREET, SW
WASHINGTON, D. C. 20590

Grant Authorization No._____
Effective Date_____
Expiration Date_____

In response to your recent communication requesting authorization for the use of General Services Administration (GSA) supply sources, we are pleased to provide you with the authorization identified above for use on (specific grant project or all projects funded by UMTA)

Please contact the GSA Supply Service Officer at the GSA regional office checked on the attached list of addresses to discuss supply sources and procedures to be followed in placing orders, establishing shipping and billing addresses and for establishing funding or project codes for your control accounting needs where purchases are made for several grants.

You are required to make payments promptly for supplies or services obtained through this arrangement, and DOT assumes no liability for the obligations incurred by your organization through the use of this authorization. Purchases under the authorization may be made only within approved UMTA grant budgets and only for purposes of furthering UMTA grant activities.

Please note the expiration date on the present authorization. If you wish to continue to use GSA supply sources for UMTA grants beyond that date without a break in authorization, a request for renewal must be submitted to this office at least 30 days prior to the expiration date.

Notification of change in the title or address of your organization must be submitted to this office within 60 days of such event.

Sincerely yours,

cc:
1. Office of Installations and Logistics
2. GSA, Regional Office
3. GSA, Washington Office

Figure IV-3--Letter of Blanket Authorization

DEPARTMENT OF TRANSPORTATION
OFFICE OF INSTALLATIONS AND LOGISTICS
WASHINGTON, D. C. 20590

Grant Authorization No._____
Effective Date_____
Expiration Date_____

In response to your recent communication requesting authorization for the use of General Services Administration (GSA) supply sources, we are pleased to provide you with the authorization identified above for use on all Department of Transportation (DOT) grants.

Please contact the GSA Supply Service Officer at the GSA regional office checked on the attached list of addresses to discuss supply sources and procedures to be followed in placing orders, establishing shipping and billing addresses and for establishing funding or project codes for your control accounting needs where purchases are made for several grants.

You are requested to make payments promptly for supplies or services obtained through this arrangement, and DOT assumes no liability for the obligations incurred by your organization through the use of this authorization. Purchases under the authorization may be made only within approved DOT grant budgets and only for purposes of furthering DOT grant activities.

Please note the expiration date of the present authorization. If you wish to continue to use GSA supply sources for DOT grants beyond that date without a break in authorization, a request for renewal must be submitted to this office at least 30 days prior to the expiration date.

Notification of change in the title or address of your organization must be submitted to this office within 60 days of such event.

Sincerely yours,

cc:
1. DOT Administration(s)
2. GSA, Regional Office
3. GSA, Washington Office

Figure IV-4--Letter of Individual Authorization

GSA REGIONAL ADDRESSES

General Services Administration - Region_____
Federal Supply Service

REGION I

605 U.S. Post Office and Courthouse
Boston, Massachusetts 02109
Phone: 617-223-2665

REGION II

26 Federal Plaza
New York, New York 10007
Phone: 212-264-3593

REGION III

7th & D Streets SW
Washington, D.C. 20407
Phone: 202-963-6241

REGION IV

1776 Peachtree
Atlanta, Georgia
Phone: 404-526-5765

REGION V

219 South Dearborn Street
Chicago, Illinois 60604

REGION VI

1500 East Bannister Road
Kansas City, Missouri 64131
Phone: 816-361-7364

REGION VII

819 Taylor Street
Fort Worth, Texas 76102
Phone: 817-334-2516

REGION VIII

Denver Federal Center
Denver, Colorado 80225
Phone: 303-233-8439

REGION IX

Northern Area
49 Fourth Street
San Francisco, California94103
Phone: 415-556-6103

Southern Area
Bldg. 7, Federal Service
Center
Bell, California 90201
Phone: 213-263-7007

REGION X

GSA-Federal Supply Service
10FQ GSA Center
Auburn, Washington 98002
Phone: 206-833-5295

Figure IV-5--List of GSA Regional Addresses

REQUIRED CLAUSES

Clause	Construction Contract	Equipment Contract	Professional Services Contract
I. INVITATION TO BID			
A. Statement of Financial Assistance.....	x	x	
B. Ineligible Bidders.....	x	x	
II. CONTRACT SPECIFICATIONS			
A. Contract Changes.....	x		
B. Government Inspections.....	x		
C. Ineligible Contractors.....	x		
D. Interest of Members of Congress.....	x	x	x
E. Audit and Inspection of Records.....	x		x
F. Equal Employment Opportunities.....		x	x
G. Prohibited Interest.....	x	x	x
H. Nondiscrimination.....	x		
I. Safety and Health Standards.....	x		
J. Project Signs.....	x		
K. Prime Contractor Participation.....	x		
L. Warranty of Construction.....	x		
M. Affirmative Action.....	x		
N. Patent Rights.....			x
O. Motor Vehicle Safety Standards.....		x	
P. Motor Vehicle Pollution Requirements.		x	
Q. Labor Provisions.....	x		

Figure IV-6--Required Clauses

Project No._____

Proposed Contract for_____

_____

PROFESSIONAL SERVICES CONTRACTS

Review Check List for Proposed Contracts

		Yes	No	N/A
I.	Has the following information been received?			
	1. Name of each firm considered	___	___	___
	2. Copy of each proposal received	___	___	___
	3. Basis for selection of proposed firm	___	___	___
	4. Qualifications of the proposed firm	___	___	___
	5. Basis for compensation and is it reasonable	___	___	___
II.	Does the contract contain the following requirements?			
	1. Audit and inspection of records	___	___	___
	2. Equal employment opportunity	___	___	___
	3. Interest of members of Congress	___	___	___
	4. Interest of public officials	___	___	___
	5. Patent rights	___	___	___
	6. Maximum compensation and is it within budget	___	___	___
III.	Are the following provisions in the Contract?			
	1. Clear definition of the scope of the services	___	___	___
	2. Contract period that begins after the approval date of the project and ends in a reasonable time	___	___	___
	3. Periodic submission of progress reports	___	___	___
	4. Nonassignment of work to subcontractors unless prior approval is received from project sponsor	___	___	___
	5. Method of paying for services and submission of invoice to project sponsor to support payments	___	___	___
	6. Termination for and without cause	___	___	___

Figure IV-7--Pre-Award Checklist
(Professional Services Contracts)
(Page 1 of 2)

REQUIRED CLAUSES

Clause	Construction Contract	Equipment Contract	Professional Services Contract
I. INVITATION TO BID			
A. Statement of Financial Assistance.....	x	x	
B. Ineligible Bidders.....	x	x	
II. CONTRACT SPECIFICATIONS			
A. Contract Changes.....	x		
B. Government Inspections.....	x		
C. Ineligible Contractors.....	x		
D. Interest of Members of Congress.....	x	x	x
E. Audit and Inspection of Records.....	x		x
F. Equal Employment Opportunities.....		x	x
G. Prohibited Interest.....	x	x	x
H. Nondiscrimination.....	x		
I. Safety and Health Standards.....	x		
J. Project Signs.....	x		
K. Prime Contractor Participation.....	x		
L. Warranty of Construction.....	x		
M. Affirmative Action.....	x		
N. Patent Rights.....			x
O. Motor Vehicle Safety Standards.....		x	
P. Motor Vehicle Pollution Requirements.		x	
Q. Labor Provisions.....	x		

Figure IV-6--Required Clauses

Project No._____

Proposed Contract for_____

_____

PROFESSIONAL SERVICES CONTRACTS

Review Check List for Proposed Contracts

		Yes	No	N/A
I.	Has the following information been received?			
	1. Name of each firm considered	___	___	___
	2. Copy of each proposal received	___	___	___
	3. Basis for selection of proposed firm	___	___	___
	4. Qualifications of the proposed firm	___	___	___
	5. Basis for compensation and is it reasonable	___	___	___
II.	Does the contract contain the following requirements?			
	1. Audit and inspection of records	___	___	___
	2. Equal employment opportunity	___	___	___
	3. Interest of members of Congress	___	___	___
	4. Interest of public officials	___	___	___
	5. Patent rights	___	___	___
	6. Maximum compensation and is it within budget	___	___	___
III.	Are the following provisions in the Contract?			
	1. Clear definition of the scope of the services	___	___	___
	2. Contract period that begins after the approval date of the project and ends in a reasonable time	___	___	___
	3. Periodic submission of progress reports	___	___	___
	4. Nonassignment of work to subcontractors unless prior approval is received from project sponsor	___	___	___
	5. Method of paying for services and submission of invoice to project sponsor to support payments	___	___	___
	6. Termination for and without cause	___	___	___

Figure IV-7--Pre-Award Checklist
(Professional Services Contracts)
(Page 1 of 2)

	Yes	No	N/A
7. Project sponsor will retain ownership of documents, methodological explanation, etc.	___	___	___
8. Maintenance of records to show actual time devoted and costs incurred	___	___	___
IV. Has notice been placed in follow-up folder to ask for copy of executed contract in 30 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure IV-7--Pre-Award Checklist
(Professional Services Contracts)
(Page 2 of 2)

Project No._____

Contract No._____

EQUIPMENT CONTRACTS

Prebid Review Check List

		Yes	N/A	No
I.	Are the listed required provisions included in the following documents?			
	A. Invitation to Bid, Advertisement or Solicitation:			
	1. Statement of Financial Assistance	___	___	___
	B. Contract Specifications:			
	1. Air Pollution	___	___	___
	2. Contract Security--100% Performance & 50% Payment Bonds	___	___	___
	3. Interest of Members of Congress	___	___	___
	4. Motor Vehicle Safety Standards	___	___	___
	5. Equal Employment Opportunity	___	___	___
	6. Prohibited Interests	___	___	___
II.	Is estimated cost within amount budgeted for the item?	___	___	___
III.	Is equipment within the scope of the project?	___	___	___
IV.	Are Specifications nonrestrictive (Buy American, brand names, etc.)?	___	___	___
V.	Has notice been placed in follow-up folder to ask for executed documents in 45 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure IV-8--Pre-Award Checklist
(Equipment Contracts)

Project No._____

Contract No._____

CONSTRUCTION CONTRACTS

Prebid Review Checklist

		Yes	N/A	No
I.	Are the listed required provisions included in the following documents?			
	A. Invitation to Bid, Advertisement or Solicitation:			
	1. Equal Opportunity Compliance	___	___	___
	2. Ineligible Contractors	___	___	___
	3. Statement of Financial Assistance	___	___	___
	B. Contract Specifications:			
	1. Air Pollution	___	___	___
	2. Certified Payrolls	___	___	___
	3. Changes in Construction Contracts	___	___	___
	4. Contract Security--100% Performance & 50% Payment Bonds	___	___	___
	5. Government Inspections and Audit	___	___	___
	6. Insurance--Workmen's comp., Public Liability, Vehicle & Prop. damage	___	___	___
	7. Grantee will carry builders' risk insurance, fire and extended coverage	___	___	___
	8. Interest of Members of Congress	___	___	___
	9. Labor Provisions	___	___	___
	10. Nondiscrimination	___	___	___
	11. Percent of work, prime contractor	___	___	___
	12. Prohibited interests	___	___	___
	13. Project sign	___	___	___
	14. Wage rates	___	___	___
	15. Affirmative action	___	___	___
	16. Ineligible contractor	___	___	___
	17. Safety and Health Standards	___	___	___
II.	Is estimated cost within amount budgeted for work?	___	___	___

Figure IV-9--Pre-Award Checklist
(Construction Contracts)
(Page 1 of 2)

		Yes	N/A	No
III.	Is contract period within project schedule?	___	___	___
IV.	Is work within the scope of the project?	___	___	___
V.	Are Specifications nonrestrictive (Buy American, brand names, etc.)?	___	___	___
VI.	Have affected parties been relocated?	___	___	___
VII.	Has property been acquired and has UMTA concurred in price?	___	___	___
VIII.	Has notice been placed in follow-up folder to ask for executed documents in 60 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure IV-9--Pre-Award Checklist
(Construction Contracts)
(Page 2 of 2)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: Request for Third-Party Contract Review

FROM : Associate Administrator
Office of Program Operations

TO : Chairman, Third-Party Contract
Review Board, UMTA

THRU : UAD-1

Transmitted herewith is a third-party contract for review, as follows:

Project No:_____ Total Cost:_____ Federal Grant:_____

Project Title:_____

Grantee/Contractor:_____

Third-Party Contract Received:_____ Amount:_____

Third-Party Contract:_____

Purpose of Contract:_____

Comment or Recommendation:_____

For UPO:

_____
Transportation Representative

_____
Division Director

Figure IV-10--Request for Third-Party Contract Review

Project No._____

Contract No._____

EQUIPMENT ( ) OR CONSTRUCTION ( ) CONTRACT

Post Award Check List

	Yes	No	N/A
I. Have the following documents been submitted?			
1. Proof that bids invitations were published	___	___	___
2. A certified tabulation of all bids received	___	___	___
3. A copy of the bid proposal selected for award	___	___	___
4. A conformed and bound copy of the executed contract and its supporting documents	___	___	___
5. A copy of the notice to proceed	___	___	___
6. An opinion of the sponsor's attorney that all requirements of State and local law have been met	___	___	___
II. Is actual cost within budget?	___	___	___
III. Is award to the low bidder? If not, is there adequate documentation that low bidder was not responsive to the specifications?	___	___	___
IV. Is the successful bidder an eligible bidder (construction only)?	___	___	___
V. Has status of report form been prepared?	___	___	___
VI. Has pre-construction meeting been held?	___	___	___

REMARKS:

Date of Review Reviewer

Figure IV-11--Post-Award Checklist

CODES AND DESCRIPTIONS

CODE	DESCRIPTION
31 00 00 00	Capital Investments - Grants
31 01 00 00	Small Urban Transit System Acquisitions
31 02 00 00	Small Urban Transit System Improvements
31 03 00 00	Large Urban Transit System Acquisitions
31 04 00 00	Large Urban Transit System Improvements
31 05 00 00	Large Urban New Transit Systems
32 00 00 00	Capital Investments - Loan
32 01 00 00	Capital Facilities
32 02 00 00	Advanced Real Estate Acquisition
33 00 00 00	Technical Studies and System Planning
34 00 00 00	Research, Development and Demonstrations
34 01 00 00	Bus Transit
34 01 01 00	Bus Technology
34 01 02 00	Bus Traffic Systems and Service Innovation
34 02 03 00	Transit Operations and Management Systems
34 02 00 00	Rail Transit
34 02 01 00	Rapid Rail Vehicles and Systems

Figure IV-12--Program Accounting Codes

UMTA 8
7-09

U.S. Department of Transportation
URBAN MASS TRANSPORTATION ADMINISTRATION

CONSTRUCTION INSPECTION REPORT
(Contract Work)

PROJECT NO.	CONTRACT NO.
PROJECT SPONSOR	PRIME CONTRACTOR
INSPECTION LOCATION	INSPECTION DATE

BRIEF DESCRIPTION OF CONTRACT

All no answers require comment.	YES	NO
A. GENERAL		
1. Was contract work in progress?		
2. Did Project Sponsor's supervision seem adequate?		
3. Did Project Sponsor's inspection provisions seem adequate?		
4. Is contract presently on schedule?		
5. Is Project Sponsor taking action to arrest problems which might cause delays?		
6. Is work being performed in accordance with the approved scope of the project?		
7. Is Project Sponsor satisfied with contractor's arrangements for safety during construction?		
8. Has Project Sponsor checked to assure all required insurances are in effect?		
9. Was there an UMTA project sign on the site?		
10. Was the UMTA project sign maintained in good condition?		
11. Have all non-compliances noted in previous reports been corrected?		
B. EQUAL OPPORTUNITY, CIVIL RIGHTS & LABOR		
1. Were non-discrimination posters observed?		
2. Were observed non-discrimination posters prominently displayed?		
3. Was there visual or other evidence of compliance with Title VI of the Civil Rights Act of 1964?		
4. Was there visual or other evidence of compliance with Exec. Order 11246?		
5. Is contract covered by an "affirmative action" program?		
6. Did review of contractor's payroll reports and related certifications indicate compliance with Federal labor requirements?		
7. Number of payrolls checked		

ACCOMPANIED BY

NAME TITLE ORGANIZATION

EVALUATOR _____ *Name* _____ *Date of Report*

Signature *Title*

SUBMITTED BY _____ *Name* _____ *Date of Submittal*

Signature *Title*

OVER FOR COMMENTS

Figure IV-13-- Construction Inspection Report

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

COMPLIANCE SURVEY OF CONTRACTORS

1. REVIEW REPORT NUMBER

2. ☐ CONSTRUCTION ☐ NON-CONSTRUCTION

3. ☐ DIRECT FEDERAL ☐ FEDERALLY ASSISTED

4. PRIORITY GROUP

5. REVIEW AUTHORITY
☐ EXECUTIVE ORDER 11246 AS AMENDED ☐ 49 CFR PART 23 (Exclusive of E.O. 11246 as amended) ☐ CIVIL RIGHTS ACT 1964 AS AMENDED ☐ OTHER (Specify)

6. ☐ PRE AWARD REVIEW ☐ POST-AWARD REVIEW ☐ FOLLOW UP REVIEW

7. ☐ ON-SITE ☐ HOME OFFICE

8. PROJECT AND CONTRACT NO.

9. CONTRACT VALUE

10. ☐ COMPREHENSIVE REVIEW

11. ☐ SPECIAL REVIEW

12. DATES OF REVIEW

13. CONTRACTOR IDENTIFICATION (Identify if Minority Enterprise) ☐ PRIME ☐ SUB ☐ VENDOR ☐ SUPPLIER ☐ OTHER (Specify)

14a. NAME AND ADDRESS OF CONTRACTOR

15. NAME AND TITLE OF PRINCIPAL OFFICIAL

17. NAME AND TITLE OF EQUAL EMPLOYMENT OPPORTUNITY OFFICER

14b. PROJECT ADDRESS IF DIFFERENT

16. NAME AND TITLE OF TOP OPERATING OFFICIAL

18. IS WRITTEN AFFIRMATIVE ACTION COMPLIANCE PROGRAM AVAILABLE?
SEE ITEM 30H ☐ YES ☐ NO

19. PROJECT OR CONTRACT PRODUCTION SCHEDULE — BEGINNING DATE | ESTIMATED COMPLETION DATE | ANTICIPATED PEAK EMPLOYMENT DATES

20. DETERMINATION OF COMPLIANCE STATUS: ☐ IN-COMPLIANCE ☐ IN-NON-COMPLIANCE ☐ SEE FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND AGREEMENT DETAILS PAGE 4 ITEM 31 AND 32

21. SUB-CONTRACTORS, VENDORS, SUPPLIERS, ETC. (Name, Address, Total Employees, Percent Minorities) (Indicate if a Minority Enterprise)

22. UNION AFFILIATIONS AND OTHER RECRUITING AND TRAINING DATA

UNION TITLE OR IDENTIFICATION (A)	UNION LOCAL NUMBER (B)	DOES UNION HAVE EXCLUSIVE REFERRAL RIGHTS (C)		DOES UNION SPONSOR OR PARTICIPATE IN PRE-APPRENTICE, APPRENTICE, OR POST APPRENTICE TRAINING PROGRAMS? (D)		DOES CONTRACTOR SPONSOR OR PARTICIPATE IN PRE EMPLOYMENT, APPRENTICE, OR POST EMPLOYMENT TRAINING PROGRAMS? (E)	
		YES	NO	YES	NO	YES	NO

23. OTHER RECRUITING SOURCES, ESPECIALLY MINORITY OR POVERTY ASSISTANCE ORIENTED

A. NAME OR OTHER IDENTIFICATION	B. ADDRESS

FORM UMTA F-34 (8/71)

PAGE 1

24. ON SITE CONSTRUCTION EMPLOYMENT DATA

TABLE A

LINE NO	JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICAN		APPRENTICES		ON THE JOB TRAINEES	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1	OFFICIALS (MANAGERS)																
2	SUPERVISORS																
3	FOREMEN																
4	CLERICAL																
5	EQUIPMENT OPERATORS																
6	MECHANICS																
7	TRUCK DRIVERS																
8	IRONWORKERS																
9	CARPENTERS																
10	CEMENT MASONS																
11	ELECTRICIANS																
12	PIPEFITTERS, PLUMBERS																
13	PAINTERS																
14	LABORERS, SEMI SKILLED																
15	LABORERS, UNSKILLED																
16																	
17																	
18																	
19																	
20																	
21	TOTAL																
22	TOTAL EMPLOYMENT FROM PREVIOUS REPORT (IF ANY)																

TABLE B

23	APPRENTICES																
24	ON THE JOB TRAINEES																

25. SUMMARIZE NEW HIRES FOR THE CURRENT MONTH INDICATING MINORITIES AND NON-MINORITES BY JOB CATEGORIES

26. SUMMARY ANALYSIS OF EMPLOYMENT DATA

27. CONTINUATION FROM PAGE 1-4 (Show Item "No." Being Continued). IF ADDITIONAL SPACE IS REQUIRED, ATTACH SEPARATE SHEETS AND KEY ANSWERS TO ITEM NUMBERS

PAGE 2

Figure IV-14-- Compliance Survey of Contractors
(Page 1 of 2)

28. HOME OFFICE EMPLOYMENT DATA

LINE NO.	OCCUPATIONS (A)	MALE EMPLOYEES: TOTAL MALES (B)	MALE EMPLOYEES: MINORITY GROUPS: NEGRO (C)	ORIENTAL (D)	AMERICAN INDIAN (E)	SPANISH AMERICAN (F)	FEMALE EMPLOYEES: TOTAL FEMALES (G)	FEMALE EMPLOYEES: MINORITY GROUPS: NEGRO (H)	ORIENTAL (I)	AMERICAN INDIAN (J)	SPANISH AMERICAN (K)	TOTAL ALL EMPLOYEES (L)
1	OFFICIALS AND MANAGERS											
2	PROFESSIONALS											
3	TECHNICIANS											
4	SALES WORKERS											
5	OFFICE AND CLERICAL											
6												
7												
8												
9	Sub-total (White-collar)											
10	CRAFTSMEN *(Skilled)*											
11	OPERATIVES *(Semi-skilled)*											
12	LABORERS *(Unskilled)*											
13	SERVICE WORKERS											
14												
15												
16	Sub-total (Blue collar)											
17	TOTAL											
18	Total employment from previous report (if any)											
	THE DATA BELOW SHALL ALSO BE INCLUDED IN THE FIGURES FOR THE APPROPRIATE OCCUPATIONAL CATEGORIES ABOVE)											
19	ON-THE-JOB TRAINEES: WHITE COLLAR											
20	ON-THE-JOB TRAINEES: PRODUCTION											

29. SUMMARY ANALYSIS OR EMPLOYMENT AND TRAINING DATA

PAGE 2

30 SUMMARY, FINDINGS, CONCLUSIONS, RECOMMENDATIONS, AND AGREEMENTS

YES	NO	
		A. ARE REQUIRED POSTERS CONSPICUOUSLY DISPLAYED?
		B. HAVE REQUIRED WRITTEN NOTICES BEEN SENT TO UNIONS?
		C. ARE RECRUITING PUBLICATIONS USED TO SHOW "AN EQUAL OPPORTUNITY EMPLOYER"?
		D. ARE SUCH PUBLICATIONS CIRCULATED IN MINORITY ORIENTED COMMUNITIES?
		E. HAS CERTIFICATION RE USE OF NON SEGREGATED FACILITIES BEEN MADE?
		F. ARE SUCH FACILITIES IN EFFECT PROVIDED ON A NON SEGREGATED BASIS?
		G. HAVE OTHER REPORTS REQUIRED BY FEDERAL, STATE, MUNICIPAL, OR OTHER STATUTES, REGULATIONS, DIRECTIVES ETC., BEEN SUBMITTED?
		H. HAVE GOALS, TARGETS AND OTHER CONDITIONS OF AFFIRMATIVE ACTION COMPLIANCE PROGRAMS BEEN IMPLEMENTED IN SATISFACTORY OR ACCEPTABLE MANNER?
		I. HAVE COMPLIANCE OR OTHER REVIEWS MADE BY OTHER AGENCIES RESULTED IN A DETERMINATION OF COMPLIANCE?
		J. ARE PRESCRIBED EQUAL EMPLOYMENT OPPORTUNITY CLAUSES INCLUDED IN ALL APPLICABLE PURCHASE ORDERS, SUB CONTRACTS, AND COLLECTIVE BARGAINING UNION AGREEMENTS?
		K. ARE APPLICATIONS FOR EMPLOYMENT ACCEPTED, AND ARE SELECTIONS IN EFFECT MADE, WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN?
		L. ARE TRANSFER, WAGE, TRAINING, MANPOWER DEVELOPMENT, PROMOTION AND OTHER EMPLOYMENT PRACTICES ACHIEVING EQUAL EMPLOYMENT RESULTS?

31. OTHER SIGNIFICANT OBSERVATIONS, COMMENTARY AND/OR DEFICIENCIES AND VIOLATIONS. *(SHOULD BE INDIVIDUALLY NUMBERED)*

32. RECOMMENDATIONS AND AGREEMENTS FOR CORRECTIVE ACTION AND TIME SCHEDULE *(INDIVIDUALLY NUMBERED)*

33. REVIEWED BY (INCLUDE COMMENTARY MEMO IF NON-CONCURRENCE)	☐ A. REGIONAL DIRECTOR	☐ CONCUR	☐ DO NOT CONCUR	SIGNATURE AND DATE
	☐ B. REGIONAL OFFICE OF CIVIL RIGHTS	☐ CONCUR	☐ DO NOT CONCUR	
	☐ C. DIRECTOR OF CIVIL RIGHTS	☐ CONCUR	☐ DO NOT CONCUR	
34. CONDUCTED BY	☐ A. REGIONAL OFFICE	SIGNATURE, TITLE AND DATE		
	☐ B. CENTRAL OFFICE	SIGNATURE, TITLE AND DATE		

OFO 884-218

Figure IV-14-- (Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

COMPLIANCE SURVEY OF SPONSORS

1 REVIEW REPORT NUMBER

2 ☐ PUBLIC BODY ☐ CONTRACTOR

3 REVIEW AUTHORITY ☐ 49 CFR PART 23 ☐ CIVIL RIGHTS ACT 1964 AS AMENDED ☐ OTHER (Specify)

4 ☐ PRE AWARD REVIEW ☐ POST-AWARD REVIEW ☐ FOLLOW-UP REVIEW

5 PRIORITY GROUP

6. PROJECT NO.

7. ☐ COMPREHENSIVE REVIEW ☐ SPECIAL REVIEW

8. DATE OF REVIEW

9. GROSS COST

10. NET COST

11 FEDERAL SHARE

12. PERCENT COMPLETED

13 NAME AND ADDRESS OF SPONSOR

14. NAME AND TITLE OF PRINCIPAL OFFICIAL

15. NAME AND TITLE OF EQUAL OPPORTUNITY OFFICER

16 IS WRITTEN AFFIRMATIVE ACTION COMPLIANCE PROGRAM AVAILABLE ☐ YES ☐ NO

17. PROJECT SCHEDULE — APPROVAL DATE — ESTIMATED COMPLETION DATE

18 DETERMINATION OF COMPLIANCE STATUS: ☐ IN COMPLIANCE ☐ IN NON-COMPLIANCE ☐ SEE FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND AGREEMENTS, DETAILS PAGE 4 ITEMS 30 & 31

19. EMPLOYMENT DATA

LINE NO.	JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICAN		TRAINEES (POST EMPLOYMENT)	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
1	OFFICIALS (MANAGERS)														
2	SUPERVISORS														
3	PROFESSIONALS OR														
4	ACCOUNTANTS														
	ARCHITECTS														
	ATTORNEYS														
	ENGINEERS														
	MATHEMATICIANS														
	PLANNERS														
	OTHERS														
5	OPERATORS														
6	MECHANICS														
7	DISPATCHERS														
8	OFFICE AND CLERICAL														
9	SERVICE WORKERS														
10															
11															
12															
13	TOTAL														
14	TOTAL EMPLOYMENT FROM PREVIOUS REPORT (IF ANY)														
15	TRAINEES (SEE ITEM 24)														

20. SUMMARY ANALYSIS OF EMPLOYMENT DATA

FORM UMTA F-32 (Rev. 7-71)

PAGE 1

21 COMMUNITY CONTACT INFORMATION RE. SPONSOR *(Indicate name, address, telephone no. and community organization, where applicable, of person interviewed. Also show date and place of interview)*

22. PERSONNEL ACTION DATA *(Use figures for previous six months)*

DIRECTIONS: Except for promotions, positions listed under "Personnel Requests" must be repeated for all other personnel actions.
NOTE: Title VII of the Civil Rights Act of 1964 places certain restrictions on personnel requests by sex.

ACTIONS	POSITIONS	TOTAL		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICAN		PER CENT MINORITIES
		M	F	M	F	M	F	M	F	M	F	M	F	
PERSONNEL REQUESTS														
APPLICATIONS														
INTERVIEWS														
HIRES														
PROMOTIONS														

SOURCE OF PERSONNEL ACTION DATA

☐ SPONSOR'S FILES ☐ CIVIL SERVICE FILES ☐ OTHER (Specify)

23. INFORMATION IN ITEMS 22, 24 AND 26 BEGINS WITH MONTH OF

PAGE 2

Figure IV-15-- Compliance Survey of Sponsors
(Page 1 of 2)

24. POST EMPLOYMENT TRAINING *(Exclude training necessary for continued employment)*

CATEGORIES	TOTAL ELIGIBLE	NO. MINORITIES ELIGIBLE	TOTAL APPLIED	NO. MINORITIES APPLIED	TOTAL SELECTED	NO. MINORITIES SELECTED

25. SUMMARY ANALYSIS OF PERSONNEL ACTION DATA AND POST-EMPLOYMENT TRAINING

26. NO. OF EMPLOYEES DISCIPLINED OR PENALIZED; DISCIPLINE OR PENALTIES; REASONS *(Identify each employee by non-minority or minority group)*

27. NO. OF EMPLOYEES WHO LEFT DURING PREVIOUS MONTH; NAMES AND REASONS *(Identify each employee by non-minority or minority group)*

28. SUMMARY OF EMPLOYEE INTERVIEWS *(Interview at least one minority and one non-minority employee of the sponsor. Show date and place of interview.)*

PAGE 5

29. SUMMARY FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND AGREEMENTS

Yes	No	
		A. ARE REQUIRED POSTERS CONSPICUOUSLY DISPLAYED?
		B. DOES SPONSOR ADVERTISE AS AN EQUAL OPPORTUNITY EMPLOYER?
		C. IS SPONSOR'S OUTREACH EFFORTS, IF APPLICABLE, CONSISTENT WITH FEDERAL LAW?
		D. IS ACTUAL USE OF PHYSICAL FACILITIES CONSISTENT WITH THE TITLE VI REGULATIONS?
		E. DID EXAMINATION OF APPLICATION AND TESTING FORMS SHOW INCONSISTENCIES WITH FEDERAL GUIDELINES AND THE TITLE VI REGULATIONS?
		F. DO PERSONNEL FILES INDICATE RACE OF EMPLOYEES, BY CODE OR OTHERWISE, IN VIOLATION OF TITLE VII?
		G. IS ADMINISTRATION OF TESTING ON A NONDISCRIMINATORY BASIS?
		H. IS EQUITABLE TRANSIT SERVICE PROVIDED ALL SEGMENTS OF THE COMMUNITY?
		I. DOES SPONSOR HAVE AN EFFECTIVE PROGRAM FOR FOLLOW-UP ON DISCRIMINATION COMPLAINTS?
		J. DO PROPOSED CONSTRUCTION PROJECTS, IF APPLICABLE, TEND TO PHYSICALLY ISOLATE OR DIVIDE THE MINORITY COMMUNITY?
		K. HAS FORMAL TRAINING BEEN ADMINISTERED TO STAFF IN SERVING MINORITY GROUP AND FEMALE APPLICANTS?
		L. HAS SPONSOR'S EMPLOYEES BEEN FORMALLY NOTIFIED OF SPONSOR'S NON DISCRIMINATION POLICY?
		M. ARE CLAIM FORMS AND ADMINISTRATION OF CLAIMS CONSISTENT WITH THE TITLE VI REGULATIONS?

30. OTHER SIGNIFICANT OBSERVATIONS, COMMENTARY AND/OR DEFICIENCIES AND VIOLATIONS *(Should be individually numbered)*

31. RECOMMENDATIONS AND AGREEMENTS FOR CORRECTIVE ACTION AND TIME SCHEDULE *(Individually numbered)*

32. LIST OF ATTACHMENTS AND EXHIBITS TO THIS REPORT *(Individually numbered here and similarly on attachments and/or exhibits)*

33. REVIEWED BY *(Include commentary memo if non-concurrence)*	☐ A. REGIONAL DIRECTOR ☐ CONCUR ☐ DO NOT CONCUR	SIGNATURE AND DATE
	☐ B. REGIONAL OFFICE OF CIVIL RIGHTS ☐ CONCUR ☐ DO NOT CONCUR	
	☐ C. DIRECTOR OF CIVIL RIGHTS ☐ CONCUR ☐ DO NOT CONCUR	
34. CONDUCTED BY	☐ A. REGIONAL OFFICE	SIGNATURE, TITLE AND DATE
	☐ B. CENTRAL OFFICE	SIGNATURE, TITLE AND DATE

GPO 814-088 PAGE 6

Figure IV-15-- (Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

CONTRACT STATUS REPORT
as of _____

(See Instructions before preparation)

1 To: DEPARTMENT OF TRANSPORTATION URBAN MASS TRANSPORTATION ADMINISTRATION Washington, D.C. 20590 Attn: Financial Manager	FINANCIAL STATUS (In dollars)	
	6 Grant Amount	$
2 From:	7 Payments Received	$
	8 Unpaid Billings	$
3 Grant No.	9 Unbilled Performance	$
4 Type of Grant	10 Total Earnings for Work Performed	$
5 Appropriation(s) or Fund Citation(s) 69X4119	11 Advances Outstanding	$
12 Remarks		
13 Signature and Title of Authorized Representative	14 Date	

Figure IV-16--Contract Status Report

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

GRANT STATUS REPORT
as of _____

(See Instructions before preparation)

1 To: DEPARTMENT OF TRANSPORTATION URBAN MASS TRANSPORTATION ADMINISTRATION Washington, D.C. 20590 Attn: Financial Manager	FINANCIAL STATUS (In dollars)	
	6 Contract Amount	$
2 From:	7 Payments Received	$
	8 Unpaid Billings	$
3 Contract No.	9 Unbilled Performance	$
4 Type of Contract	10 Total Earnings for Work Performed	$
5 Appropriation(s) or Fund Citation(s) 69X3119	11 Advances Outstanding	$
12 Remarks		
13 Signature and Title of Authorized Representative	14 Date	

Figure IV-17--Grant Status Report

(Name of Grantee)
(Location)
(Project No.)

Form of Cash Need Projection

QUARTERLY PROJECTION OF FEDERAL CASH NEED
(Calendar Quarter)

(Month)	$ xxx
(Month)	xxx
(Month)	xxx
Total Need	$xxxx

Certified Correct:

(Signature)

(Title)

(Date Submitted)

Figure IV-18--Quarterly Projection of Cash Need

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20591

REQUISITION FOR GRANT PAYMENT

(Check one)

☐ DEMONSTRATION GRANT
☐ CAPITAL GRANT ☐ RELOCATION GRANT
☐ TECHNICAL STUDIES

THIS BOX FOR USE OF DOT

D.O. VOUCHER NUMBER

DOT VOUCHER NUMBER

DATE PAID

NAME OF GRANTEE *(Same as in Grant Contract)*

MAILING ADDRESS AND ZIP CODE

REQUISITION PERIOD *(Check and complete as appropriate)*

( ) From _____ , 19___

through _____ , 19___
(Not more than 1 month in advance)

( ) Final Payment

PROJECT NUMBER

CONTRACT NUMBER

REQUISITION NUMBER

CASH DISBURSEMENTS - ACTUAL AND ESTIMATED			
1.	Cash actually disbursed	$	
2.	Additional cash disbursements actually to be made to the beginning of this requisition period		
3.	Cash disbursements to be made during this requisition period		
4.	Total of actual and estimated cash disbursements through the end of this requisition period *(sum of Lines 1, 2, and 3)*		$
CASH RECEIVED			
5.	Federal grant payments received under previous requisitions	$	
6.	Non-Federal cash contributions received or to be received to the beginning of this requisition period		
7.	Other cash received or to be received to the beginning of this requisition period *(As: interest on invested funds, net operating revenues, proceeds from sales of property)*		
8.	Total cash received or to be received to the beginning of this requisition period *(sum of Lines 5, 6 and 7)*		$
CASH NEEDED			
9.	Estimated cash requirements for this requisition period *(Line 4 minus Line 8)*	$	
10.	Non-Federal cash contributions to be received during this requisition period		
11.	Other cash to be received during this requisition period *(same type as under Line 7)*		
12.	FEDERAL GRANT REQUISITIONED HERE *(Line 9 minus Lines 10 and 11)*		$
	(a) Reimbursement included in Line 12		
	(b) Advance included in Line 12		
STATUS OF GRANT PAYMENTS			
13.	Total Federal grant payments requisitioned to date *(sum of Lines 5 and 12)*	$	
14.	MAXIMUM FEDERAL GRANT FOR WHICH ELIGIBLE UNDER CONTRACT		
STATUS OF NON-FEDERAL CONTRIBUTIONS			
15.	Cash-equivalent contributions made or to be made to beginning of this requisition period *(cash value of paid services, land, equipment, supplies, etc.)*	$	
16.	Total non-Federal cash and cash-equivalent contributions to the beginning of this requisition period *(sum of Lines 6 and 15)*		
17.	Cash-equivalent contributions to be made during this requisition period *(same type as under Line 15)*		
18.	Total non-Federal contributions to be made during this requisition period *(sum of Lines 10 and 17)*		
19.	Total non-Federal contributions to the end of this requisition period *(sum of Lines 16 and 18)*		$

UMTA-6 (Rev. 9-70) *(Over)* 71-U-2114

Figure IV-19--Requisition for Grant Payment
(Page 1 of 2)

GRANTEE CERTIFICATES

I certify that the statements in the opinion and certificate dated _____, and filed with the executed Grant Contract, remain true and correct.

_____ *Date*

_____ *Attorney for Grantee*

I certify that the statements herein and in the supporting documents are correct and complete, and that the project is being carried out in conformity with the Grant Contract and the project budget.

_____ *Name of Grantee*

_____ *Signature of Authorized Officer*

_____ *Date*

_____ *Title of Authorized Officer*

ALL SPACES BELOW FOR USE OF DEPARTMENT OF TRANSPORTATION

There is no legal objection to payment of the grant in the amount requisitioned.

_____ *Date*

_____ *Attorney for UMTA*

I approve payment of the grant in the amount requisitioned.

URBAN MASS TRANSPORTATION ADMINISTRATION

_____ *Date*

By _____

ACCOUNTING CLASSIFICATION	
APPROPRIATION SYMBOL AND TITLE	AMOUNT

GPO 899-236

UMTA-6 (Rev. 9-70)

Figure IV-19--(Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
Office of Program Operations

REVIEW OF REQUISITION FOR GRANT PAYMENT

Project No.
Requisition No.

Original only. Attach to file copy of memorandum to Accounting Operations Division.

Yes	No	NA	Review of Project File
			Grant Contract executed
			Special Conditions prerequisite to payment met (initial requisition)
			Check for stop-orders in project file is negative
			Current Financial Report received
			Current Quarterly Progress Report received
			Monthly Construction Report received (construction projects only)
			Funds requested are within latest line-item project budget
			Is there a reasonable basis for the estimated cash requirement, such as executed contracts for which UMTA concurrence has been given?
			Final Audit findings cleared (final requisition)
			Funds requested are within latest Approved Budget

Yes	Change	Ret'd	Review of Form UMTA-6
			Check accuracy of data shown in information blocks on page 1
			Advance requisition period does not exceed one month
			Check accuracy of all computations on page 1
			Line 5 is same as Line 13 of previous requisition
			Line 13 does not exceed 90% of Line 14 or waiver recommended
			Line 14 is same as the amount of the approved Federal grant
			Line 19 is not less than 1/3 (1/2) of Line 4, less Lines 7 & 11
			Grantee's certificates on page 2 are complete

☐ Waiver of 10% withholding is recommended:

- ☐ Equipment has been delivered
- ☐ Funds needed to pay third-party contractors for work accepted
- ☐ _____

REMARKS

Date of Review	Reviewer	Division Director

Figure IV-20-- Check-off Review Form

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT:

FROM : Assistant Administrator
Office of Program Operations

TO : Accounting Operations Division, TAD-45

☐ Capital Grant		☐ Technical Study Grant
Project No.	Contract No.	Requisition No.
Amount	Program Code	

☐ I have approved the subject requisition in the amount indicated.

☐ I have waived the ten percent withholding requirement based on copies of invoices or other documentation supporting the total cash requirements.

The original and three copies of the requisition are forwarded herewith for payment. Please have one copy returned to the applicant when payment is made.

W. B. Hurd

Attachment

Figure IV-21, Transmittal Memorandum

Mr. John Walker
Rider Transit Company
35 Rose Street
Sallad, Texas 02907

OCT 9 1971

Re: Project No. TEX-UTG-00
Additional 1/6 Funding

Dear Mr. Walker:

I am pleased to advise you that the full planning requirements of the Urban Mass Transportation Act of 1964, as amended, have been met with respect to capital grant Project No. TEX-UTG-00.

We are, therefore, increasing the amount of the Federal mass transportation grant by $253,033, as provided for in the grant contract.

Any further balance sheets and fund requisitions should accordingly reflect Federal and local participation in the project on the following basis:

Federal grant at this time (2/3 of net project cost)	$1,012,133
Local contribution	506,067
Total net project cost	$1,518,200

Copies of Form UMTA-6 are enclosed for your use in requisitioning funds.

Sincerely,

/s/ C. C. Villarreal
Administrator

C. C. Villarreal
Administrator

Figure IV-22--Approval Letter

OCT 15 1971

APPROVAL - Supplemental Urban Mass Transportation
Capital Grant Project No. RI-UTG-2

Assistant Administrator
Office of Program Operations

Administrator

1. Background - A capital grant was made to the Rhode Island Public Transit Authority on March 17, 1970, under the Urban Mass Transportation Act of 1964, as amended, for assistance in the purchase of 45 buses.

An amendment was approved on August 26, 1970, to correctly reflect the net project cost and the amount of the Federal grant.

The total grant, approved under the emergency program planning provisions of Section 5 of the Act, totaled $759,100 or 50 percent of the net project cost. Approval of an additional $253,033 was withheld pending completion of the planning and programming requirements prescribed by Section 4(a) of the Act.

2. Planning Report - The attached memorandum from the Division of Technical Studies indicates that the applicant met full planning requirements prior to March 17, 1973, within three years following the date of execution of the grant contract.

3. Recommendation - I recommend that you determine that the full planning requirements of Section 4(a) of the Act have been met as to this project within the three-year period following execution of the grant contract, and that release to the applicant of additional grant funds not to exceed $253,033, representing one-sixth of net project cost, be approved. Funds in this amount were reserved in connection with the original project approval.

/s/ Dee V. Jacobs

W. B. Hurd

APPROVED

/s/ C. C. Villarreal
Administrator

Administrator

Date OCT 18 1971

Figure IV-23--Approval Memorandum

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: APPROVAL Supplemental grant for Project No. GA-UTG-3

FROM : Assistant Administrator
Office of Program Operations

TO : Administrator

1. Applicant - The City of Columbus, Georgia.

2. Project - This application for a supplemental grant requests DOT's participation in a total budget overrun of $317,497. The scope of the original project will not be changed.

3. Project Evaluation - The project was approved on May 27, 1970, for a capital grant of $391,994. Upon compliance with the planning requirements of Section 4(a) of the Urban Mass Transportation Act, the grant was increased by $130,665 to a total of $522,659.

   The project consists of the purchase of support and maintenance equipment and two 45-passenger air-conditioned buses; and the erection of a new garage, maintenance facility, and an administration building.

   At the time the application was submitted, the City of Columbus had only limited experience in transit operations. After approval of the grant, the City made a detailed evaluation of their operating needs and employed the service of an architect. As a result, it was determined that space requirements had been underestimated and were revised upward as follows:

	From	To
Administration Building	3,900 Sq. Ft.	4,615 Sq. Ft.
Maintenance Shops	22,870 "	25,824 "
Paving	135,000 "	204,000 "

   Since the actual site for the garage and office building had not been selected, average costs of site development and foundations were included in the approval estimate. When the site was selected, however, it was found to

Figure IV-24--Approval Memorandum
for a Project Amendment
(Page 1 of 4)

require a retaining wall, undercutting and compaction of the foundation areas, and extra earthwork not anticipated in the original estimate.

Between August 1969, and July 1971, when the bids were received for construction of the facilities, cost indices obtained from data published in the Engineering News-Record estimate that construction costs increased by 21.6 percent.

After bids were received and the full extent of the overrun revealed, the architect made a critical review of the design and specifications and decided that any reduction in cost would have to come from a reduction in quality of material, which would result in a reduced service life and an increase in building up-keep and maintenance.

It was also determined from this detailed evaluation that certain items of the support and maintenance equipment as listed in the application were unnecessary, and that other items would be required for adequate maintenance and operation of the vehicles.

An overrun in the land acquisition cost has been incurred due to unbudgeted attorney's fee, title insurance premium and handling fee in the amount of $1,773.

In light of the unusually high escalation of construction costs, together with the project requirements deemed necessary to provide efficient and economical vehicle maintenance and program operation, it becomes necessary to increase the budget accordingly:

Budget Item	Present	Increase (Decrease)	Proposed
Support & maintenance equipment	$ 14,000	$ 13,992	$ 27,992
Purchase two buses	72,000	0	72,000
Erect garage, maintenance & administration building:			
Land purchase	185,000	1,773	186,773
Site development	81,000	115,349	196,349
Construction	419,100	220,039	639,139
Architectural fees	30,006	21,798	51,804
Sub-Total	$801,106	$372,951	$1,174,057

Figure IV-24 (Page 2 of 4)

Budget Item	Present	Increase (Decrease)	Proposed
Contingencies	$ 64,088	$(55,454)	$ 8,634
Estimated gross project cost	$865,194	$317,497	$1,182,691
Less proceeds from the sale of existing facilities, two coaches, and replaced equipment	-81,205	0	-81,205
Net Project Cost	$783,989	$317,497	$1,101,486

This amendment will provide additional funds to eliminate the overrun and will not change the scope of the project.

4. Planning and Transit Development Program - A new planning finding is not required since the scope of the project is not being changed by this amendment.

5. Labor Determination - A new labor clearance is not required since the scope of the project is not being changed.

6. Staff Review - Another legal opinion is not required, since the scope of the project is not being changed. This memorandum and the approval letter have been reviewed and concurred-in by the Chief Counsel. Satisfactory continuing control will be accomplished through ownership and operation of all facilities by the applicant.

7. Net Project Cost - The amendment increases net project cost by $317,497 to $1,101,486.

8. Federal Grant - The original grant approval and fund reservation were in the amount of $522,659.

The recommended financing for the additional grant is:

	Original	Increase	Revised
Net Project Cost	$783,989	$317,497	$1,101,486
Federal grant (2/3)	$522,659	$211,665	$ 734,324
Local contribution (1/3)	$261,330	$105,832	$ 367,162
Federal grant reservation	$522,659	$211,665	$ 734,324

9. Cash Draw-Down Schedule for Federal Funds - Following is the cash draw-down schedule including the amount of the project amendment:

1st Quarter FY-1972	$ 27,413
2nd Quarter FY-1972	137,060
3rd Quarter FY-1972	191,883
4th Quarter FY-1972	191,883
Total	$548,239

10. Recommendation - I recommend approval of an increase in the original grant by a maximum amount of $211,665.

    The additional funds have been reserved for this project under the contract authority provisions of the 1970 amendments to the Urban Mass Transportation Act of 1964, resulting in a total reservation of $734,324.

s/ W. B. Hurd

APPROVED

s/ _____
s/ Administrator

Date

Figure IV-24 (Page 4 of 4)

Mr. Ralph A. Sayers
City Manager
City of Columbus
Columbus, Georgia 31902

Re: Project No. GA-UTG-
Amendatory Application

Dear Mr. Sayers:

I am pleased to advise you that the amendatory application of the City of Columbus, Georgia, for an increase in the capital grant, has been approved in the maximum amount of $211,665. This additional amount increases the total grant to $734,324 which has been reserved for the project.

We are enclosing a copy of the revised project budget. The amended grant contract will be forwarded to you in the near future.

Sincerely,

C. C. Villarreal
Administrator

Enclosure

UPO:BERFIELD:lh:8/11/70
UMTA/file
Chron
Berfield
Tatmum
UOA-1 (2)
UAD-30
TAD-45
UPP-30
UPA-1 (3)
UAD-20
URD-1

Figure IV-25--Approval Letter for a Project Amendment

(Date)

Certification of Project Expenses

Cost Category	Amount Budgeted	Amount Expended
1.		
2.		
3.		
4.		
5.	_____	_____
Total Project Cost		
Less: Project Income	(_____)	(_____)
Net Project Cost	_____	_____

With full knowledge of the penalties prescribed in 18 U. S. C. 1001, cited below, I *(we)* hereby certify that the above financial summary is a complete and accurate presentation of final project costs, and that the *(grantee organization)*, in administering this project, has fully complied with the terms and conditions of the grant contract. Moreover, I *(we)* certify that the *(grantee organization)* has made its local contribution to the project as specified in the grant contract and final approved project budget.

(Signature and Title of
Chief Financial Officer)

(Signature and Title of
Chief Project Official)

Note:

XX Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statment or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both. (U. S. Code, Title 18, Paragraph 1001, page 552.)

UMTA Form 38

Figure IV-26--Certification of Project Expenses

UMTA
GRANT PROJECT CLOSEOUT
CHECKLIST

To: UAD-10

Office_____

A. PROJECT NO._____

B. PROJECT NAME_____

_____

_____

C. PROJECT MANAGER_____

[ ] 1. All project activity has been completed.

[ ] 2. All costs have been incurred and the final financial report has been accepted and the latest approved budget is correct.

[ ] 3. A final audit has been requested. Date of request_____

[ ] 4. Final audit report has been issued. Date of report_____

[ ] 5. Audit findings have been resolved. Date_____

[ ] 6. Final requisition paid or final return of funds made by grantee.

[ ] 7. The accounting office has been notified of this close out and has been requested to cancel any remaining grant reservation. Date_____

[ ] 8. It is requested that this project be closed. Date_____

Signature_____

Figure IV-27--Grant Project Closeout Checklist
(Page 1 of 2)

UMTA
GRANT PROJECT CLOSEOUT
CHECKLIST

[ ] 9. A 1/6 grant is pending.

[ ] 10. Project Closed. Date_____

Signature_____

Instructions for Use. The Project Managers will fill out the data at the beginning of the form and indicate those items completed through item C.3., "request for final audit," and send the form to UAD-10. A file of pending checklists will be maintained in central files. Succeeding items are completed on the check list by UAD-10 who will officially close out the project and transfer the checklist from the pending file to the project file.

A. REQUESTED BY:_____ DATE_____

B. PROJECT NO._____ PROJECT NAME_____

C. CONTACT_____

ADDRESS_____

_____

D. TYPE OF AUDIT:

_____ACCOUNTING INSPECTION _____INTERIM

_____FINAL _____OTHER (SPECIFY)_____

E. REQUESTED COMPLETION DATE_____

F. Place a (✓) in the block provided below to indicate a positive response to each of the listed questions. If further comment is necessary, use the space remaining at the bottom of the audit request form.

☐ 1. The project is complete and all costs have been charged.

☐ 2. The final project balance sheets/financial statements have been received and contain a categorical cost breakdown in conformity with the latest approved project budget.

☐ 3. The date of the final project balance sheet is_____

☐ 4. A line item comparison has been made of actual costs incurred with budgeted amounts and all line items overruns and/or unbudgeted items have been resolved.

☐ 5. The latest approved project budget includes all charges necessitated by number 4 above, and represents the final budget.

6. The date of the latest approved project budget is_____

Figure IV-28--Audit Request Form

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: Capital Grant Project Completion - 1/6 Grant Pending

THRU : Director of Program Audit, UAD-30

FROM : Associate Administrator for Program Operations

TO : Accounting Operations Division
Office of the Secretary - TAD-45

Project No._____

Contract No._____

Requisition No._____

Amount: $_____

I have approved the above requisition in the amount indicated.

The original and three copies of the requisition are forwarded herewith for payment. Please have one copy returned to the applicant when payment is made.

Based on final audit, the Net Project Cost is determined to be $_____.

Estimated Project Cost	$_____
Actual Project Cost (based on final audit)	_____
Federal Grant Reserved	_____
Federal Grant Payment (including this requisition)	_____
Remaining Balance of Reservation	_____

The project sponsor may qualify for an additional payment of 1/6 of net project cost if full planning requirements are met within three years from the date of execution of the Grant Contract. This three-year period expires _____.

W. B. Hurd

Figure IV-29--Capital Grant Project Completion
1/6 Grant Pending

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: Capital Grant Project Close-Out

THRU : Director of Program Audit, UAD-30
FROM : Associate Administrator for Program Operations

TO : Accounting Operations Division
Office of the Secretary, TAD-45

Project No._____

Contract No._____

Requisition No._____ (FINAL)

Amount: $_____

I have approved the above requisition in the amount indicated. This completes payment and closes out the project account.

The original and three copies of the requisition are forwarded herewith for payment. Please have one copy returned to the applicant when payment is made.

Based on final audit, the Net Project Cost is determined to be $_____.

Estimated Project Cost	$_____
Actual Project Cost (based on final audit)	_____
Federal Grant Reserved	_____
Federal Grant Payment (including final requisition)	_____
Unused Balance of Reservation	_____

The unused balance, if any, should be canceled.

W. B. Hurd

Figure IV-30--Capital Grant Project Close-Out

Chapter V
Advance Land Acquisition Loans

		Page
1.	Program Description	V-1
2.	Eligibility Requirements	V-1
	a. Eligible Applicants	V-1
	(1) Land	V-2
	(2) Uses	V-2
	(3) Costs	V-3
3.	Program Management	V-3
	a. Inquiry	V-3
	b. Internal UMTA Processing	V-4
	(1) Receipt of Project Applications	V-4
	(2) Routing Applications for Review	V-5
	c. Disaster Relief Act--Waiver Policy	V-5
	d. Visits or Conferences	V-6
	e. Comments of Governors	V-6
	f. Application Status Report	V-6
	g. UMTA Office of Public Affairs	V-7
4.	Preliminary Application and Review	V-7
	a. Structure and Contents	V-8
	b. UMTA Determinations	V-9
	(1) Eligibility of Applicant and Project	V-9
	(2) UMTA Funding Feasibility	V-9
5.	Final Application and Review	V-10
	a. Structure and Contents	V-10
	b. Outside Referrals	V-11
	(1) Local Comprehensive Planning Agency Review	V-12
	c. Final Review	V-12
	d. Statutory Determinations and Requirements	V-12
	(1) Eligibility of Project and Applicant	V-12
	(2) Public Hearing	V-12
	(3) Environmental Protection	V-14
	(4) Certification	V-14
	(5) Protection of Private Companies	V-14
	(6) Relocation and Land Acquisition	V-16
	(7) Labor Certification	V-16
	(8) Reasonable Expectation for Use in Transit	V-16
	(9) Civil Rights' Compliance	V-16
	(10) Determination of Interest Rate	V-16
	(11) Term of Loan	V-17

e. Administrative Requirements and Policy Regulations..... V-17
(1) Conformance with Transit System Plans..... V-17
(2) Intergovernmental Coordination..... V-18
(3) Flood-Damage Protection..... V-18
(4) Security..... V-18
(5) Project Budget..... V-19
(6) Other Loan Requirements..... V-19
6. Project Approval..... V-19
a. Contents of the Approval Package..... V-19
(1) Approval Memorandum..... V-20
(2) Approval Letter..... V-22
(3) Project Budget..... V-22
(4) Draft Press Release..... V-22
(5) Grant Notification Form..... V-23
(6) "For the Secretary's Information".... V-23
b. Organization and Routing of the Approval Package..... V-23
c. Congressional Notification and Release.... V-23
7. Execution of Loan Agreement..... V-24
8. Management of Loan Projects V-24
a. Additional Payments V-24
b. Repayment V-24
c. Forgiveness V-25

CHAPTER V

ADVANCE LAND ACQUISITION LOANS

1. PROGRAM DESCRIPTION

The 1970 amendments to the Urban Mass Transportation Act of 1964 authorized a new program under section 3, which allows UMTA to make loans to finance the purchase of land or interests in land for future use in urban mass transportation systems. Loans may be made in amounts up to the total actual costs of the land involved, and the net cost, if any, of managing the property between the time of acquisition and the time of actual construction of mass transportation facilities on the land. Relocation grants may also be made in conjunction with loans for advance land acquisition pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (see appendix 7).

2. ELIGIBILITY REQUIREMENTS

a. Eligible Applicants.

Only public bodies are eligible as applicants for loans. Private transportation companies may participate in this loan program through contractual arrangements with a public body. These contractual arrangements must provide the public body with continuing control over the use and disposition of the land or interests in land purchased under the loan agreement.

Eligible public bodies include States; municipalities and other political subdivisions of States; public bodies and instrumentalities of one or more States, or of one or more municipalities or other political subdivisions of States; and public corporations, boards, and commissions established under State law.

b. Eligible Projects.

A project may include land, including easements, leaseholds, and other less-than-freehold estates in land, that UMTA determines are: reasonably expected to be required in connection with an urban mass transportation system and; will be used for that purpose within 10 years from the time the loan is made.

(1) Land.--To qualify for a loan, the land and the urban mass transportation system for which it is needed must:

* Be part of a program that provides for the unified or coordinated operation of the mass transportation system for the urban area. This program must include, but is not limited to, scheduling, routing, fare structure, and levels of service to the public. The program must indicate the ways in which available transit facilities, and those to be provided under the transit improvement program, will be coordinated so as to provide maximum practicable service to the urban area. Where more than one carrier provides intracity service in the urban area, the program must provide, as a minimum, for (a) the elimination of overlapping service, (b) coordinated routes and schedules, and (c) a uniform system of transfers at convenient transfer points.

* Be part of a transit improvement program for the urban area covering a 5- to 10-year development period. The transit improvement program should indicate the needed improvements in the mass transportation system for a 5- to 10-year development period, including (a) a schedule of priorities, (b) estimates of costs, (c) recommended or anticipated means of financing, and (d) the allocation of responsibilities for carrying out the program.

* Consider the use of improvements developed under the UMTA research, development, and demonstration program, or otherwise.

* Meet other requirements as specified by UMTA. These requirements will be established by the Associate Administrator, Office of Program Operations (UPO-1), when individual circumstances warrant.

(2) Uses.--Eligible uses may include land for rights of way, station sites, parking lots or buildings for use in connection with mass transportation services, access roads

and ramps, repair facilities, car or bus storage yards or sidings, mass transportation office facilities, and other related facilities for use in urban mass transportation service or in coordinating such service with highway and other transportation.

(3) Costs.--Eligible costs for an advance land acquisition loan may include the actual cost of acquisition of land and interests in land, as well as actual, reasonable, and necessary costs incident to acquisition of land, and interests in land and actual, reasonable and necessary costs incident to acquisition of title, for example, court costs and counsel and witness fees in eminent domain proceedings. However, ordinary governmental, administrative, or nonproject operating expenses, costs of appraisals, or planning for future route establishment, extension, or structures to be placed upon the land may not be included.

Advance land acquisition loans may also include the net cost of essential property management functions (i.e., the difference between the actual gross cost of management, such as insurance, upkeep, taxes, and managerial costs, and any rents and other income earned by the property) from the time of acquisition to the time of repayment of the loan. Such net property management costs must of necessity be estimated in the application.

3. PROGRAM MANAGEMENT

a. Inquiry.

All inquiries concerning the advanced land acquisition loan program are to be referred to the Division of Project Development (UPO-10), Office of Program Operations, where a transportation representative will be assigned to follow up and provide response.

The transportation representative is the prospective applicant's primary contact in UMTA. He evaluates the inquiry and determines whether any of the various UMTA programs can meet the prospective applicant's needs. He may also ask the Division of Technical Assistance (UPO-40) to make an informal evaluation of the applicant's area transit needs. This evaluation may recommend alternative solutions, which will not require UMTA's financial assistance.

If the prospective applicant decides to submit an application for an advanced land acquisition loan, he so

informs UMTA. The transportation representative is available to help him prepare the application.

b. Internal UMTA Processing.

(1) Receipt of Project Applications.--All applications, preliminary and final, are received by the Office of Administration, Program Administration Division (UAD-10), either directly through the United States Mail or from a transportation representative who has received an application which was hand-delivered by an applicant. Both preliminary and final applications for a capital grant or loan are submitted in the original and five copies. However, when the project involves a commuter railroad, the original and 11 copies must be submitted.

The Program Administration Division takes the following actions on each application, immediately upon receipt:

* A project number will be assigned from the Project Number Control Register.

* A letter of acknowledgment will be prepared and sent to the applicant.

* A Form UMTA F-18 will be completed, reviewed and filed.

* A Summary of New Project Submittals will be prepared, for use in disseminating information on the proposed grant project promptly to the key operating and staff offices in UMTA and also to inform HUD and other DOT constitutents in accordance with the DOT-HUD exchange of information agreement.

* The Master Project File will be set up, containing the signed original of the application, with all supporting documents, and also any preapplication correspondence accumulated in the inquiries file.

* Basic control data will be entered into the Management Accounting and Control System and the Secretary's 170 Information System.

(2) Routing Applications for Review.--Upon receipt of a preliminary or final application, the Program Administration Division contacts the responsible Transportation Representative to advise him that the application has arrived and to get approval or instructions concerning its distribution. With any such instructions in mind, the Program Administration Division will distribute or hold copies of the application. The application is routed as follows:

original--the Master Project File

1 copy --Dept. of Housing and Urban Development, Planning Standards Office

1 copy --Office of Civil Rights and Service Development

1 copy --Office of Chief Counsel

*2 copies--Dept. of Labor, forwarded through the Office of Chief Counsel

Only the Master File is forwarded to the Office of Program Operations, which is responsible for followup with the applicant and advising the Program Administration Division of the status of the project and further processing of the application.

Upon completion of their reviews, the Office of Chief Counsel and the Office of Civil Rights and Service Development return their copies of the application to the Program Administration Division for inclusion in the project file.

c. Disaster Relief Act--Waiver Policy.

The Disaster Relief Act of 1970 (Public Law 91-606) contains the following provision:

> "Sec. 205. Any Federal agency charged with the administration of a Federal grant-in-aid program is authorized, if so requested by the applicant State or local authorities, to modify or waive, for the duration of a major disaster proclamation, such administrative procedural conditions for assistance as would otherwise prevent the giving of

* In the case of a project involving a commuter railroad, 8 (eight) copies are forwarded to the Department of Labor.

assistance under such programs if the inability to meet such conditions is a result of the disaster."

In effecting this policy, the Office of Program Operations may recommend, for the Administrator's approval, the waiver of any administrative requirements or procedures that would thereby enable UMTA to undertake or continue a project in a disaster-stricken area.

d. Visits or Conferences.

The transportation representative visits the applicant and inspects the area's transportation system and the land area to be acquired during the application development stage.

Visits or conferences between UMTA and the applicant may be required as the project is being developed. These may be held either in Washington or in the field, depending on the nature of the material to be covered at the meeting.

e. Comments of Governors.

Where a proposed project is wholly or partially located in a State that has state-wide comprehensive transportation planning, section 3(a) of the Act requires that the applicant furnish a copy of its preliminary application to the Governor of each such State affected by the project. The preliminary application should be submitted to the Governor at the same time that it is submitted to UMTA, with the request that any comments be sent directly to UMTA within 30 days. The comments should address the conformance or nonconformance of the application to the state-wide comprehensive transportation planning.

Any comments received by UMTA within this time frame must be evaluated in the same manner as the comments received from the A-95 clearinghouses (see chapter III). If a Preliminary Application is not submitted, the applicant is to submit a copy of his Final Application to the Governor at the same time it is submitted to UMTA.

f. Application Status Report.

A primary method of controlling the processing and development of applications and monitoring the response of outside agency referrals is the Application Status Report, which is part of UMTA's Management Accounting and Control System. Transportation representatives are responsible for a biweekly

updating of those parts of the report containing information on their assigned applications. This is done to ensure accuracy and timeliness.

The report is issued on the 15th and last day of each calendar month.

g. UMTA Office of Public Affairs.

UMTA's Office of Public Affairs (UPA) is charged with the overall management of UMTA's public information program and is the point of contact with the OST Office of Public Affairs (S-80). UMTA's Office of Public Affairs will review all other public information materials proposed for submission to S-80.

Press release material must be in the Office of Public Affairs of UMTA (UPA) no less than 7 working days before desired release date. OST requires the material to be in its office (S-80) five to seven working days prior to the desired release date. OST will arrange for printing and distribution.

Magazine articles and public use information requiring clearance must be in UMTA's Office of Public Affairs ten working days prior to the material leaving the Department. This includes a five- to seven-day minimum requirement by OST before the material is due to leave DOT or due out of the print shop.

Advance information copies of speeches requiring clearance must be submitted by UMTA's Office of Public Affairs to OST at least 72 hours prior to release or to departure of the speaker.

All motion pictures, slide presentations, and radio-television copy must be cleared by UMTA's Office of Public Affairs with OST at the script development stage.

4. PRELIMINARY APPLICATION AND REVIEW

The Preliminary Application enables UMTA to ascertain the probable eligibility of both the applicant and the project, and the availability of Federal funds to support the project. Such preliminary analyses enable both UMTA and the applicant to avoid the costs of preparing, processing, and revising a Final Application in those instances where either the project or the applicant is ineligible. This process also allows for a period of discussion and negotiation between the applicant and the transportation representative to facilitate preparation of an acceptable Final Application.

In certain cases, UMTA may determine that submission of a Preliminary Application is not necessary, particularly when the applicant's operations are well known to UMTA, or the applicant has previously administered UMTA projects.

a. Structure and Contents.

The Preliminary Application consists of a letter (original and five copies) signed by an authorized representative of the applying public agency. It includes:

(1) A description of the land, or interests in land, to be purchased with loan funds.

(2) A description of the urban mass transportation system for which the land is or will be needed, and the uses to which the land will be devoted.

(3) An estimate of the total cost of the loan, and costs of the anticipated mass transportation construction.

(4) A description of the efforts made to obtain private financing, and any State or local actions taken to provide financial or other assistance in the solution of urban mass transportation problems.

(5) A description of the status of (a) comprehensive planning for the development of the urban area, and (b) transportation planning undertaken to provide the basic framework of the urban mass transportation system and highway network for the area; and a list of the areawide, subregional and local agencies responsible for comprehensive and transportation planning, and of the State and metropolitan clearinghouses notified of the application (this must be done to conform with OMB Circular A-95).

(6) A description of the program existing or being developed for a unified or officially coordinated urban mass transportation system for the urban area.

(7) An indication of whether the land acquisition or the anticipated mass transportation construction will:

* Adversely affect employees of the transportation system to be assisted or of other transportation systems in the urban area (the application shall identify systems and labor unions that will be adversely affected).

* Result in the relocation of families, individuals, business concerns, or non-profit organizations.

(8) An Environmental Analysis.

(9) An opinion of counsel clearly showing that the applicant is a public body authorized by law to carry out the described project in the manner contemplated.

b. UMTA Determinations.

The Preliminary Application, and the information attached to it, provide UMTA with basic information about the project and applicant. Upon receipt, UMTA will determine the eligibility of the applicant and the project, and when UMTA will be able to fund the project if eligible.

(1) Eligibility of Applicant and Project.--Guidelines for these determinations are contained in section 2 of this chapter. These determinations are usually made by the Administrator upon the advice of the Office of Chief Counsel. The Divisions of Technical Assistance (UPO-40) and Technical Studies (UPO-30) will also be called upon for assistance, if needed. If ineligible, the Associate Administrator (UPO-1) sends a letter to the applicant informing him of the UMTA determination. Determinations are based upon UMTA's general knowledge of the applicant and the specific information supplied in the Preliminary Application.

(2) UMTA Funding Feasibility.--This determination is made by the Administrator, upon the recommendation of the Associate Administrator for Program Operations (UPO-1). This recommendation results from a review of the capital assistance program plan for the current fiscal year. The program plan is prepared in the Division of Project Development (UPO-10) and is reviewed by the Associate Administrator (UPO-1). The capital assistance program is formulated by assembling all those applications which, it is estimated, can be developed into approvable condition during the fiscal year, and then measuring these applications against the capital grant criteria and priorities established by the Administrator. The application of the highest priority is included first, with the program being completed as the lower priority applications fill

the program to its funding level for the fiscal year. This program is updated on a quarter-year basis, at the minimum.

5. FINAL APPLICATION AND REVIEW

The Final Application contains detailed information and materials necessary to determine whether the project meets the statutory and administrative requirements of UMTA. The transportation representative works with the applicant in developing the Final Application, and insures that it is complete and has undergone the required UMTA and other agency reviews.

a. Structure and Contents.

Final Applications for assistance under the advance land acquisition loan program are modifications of the "Sample Format for a Final Capital Grant Application." The structure of an individual Final Application will be determined by the Office of Program Operations, but all will contain the following elements, which are fully illustrated in the Sample Format for a Capital Grant Application (see app. 5):

* Application letter.

* Resolution of the applying public body.

* Assurance of compliance under Civil Rights Act of 1964.

* Legal opinion.

* Certification.

Exhibit A--Project description. This should include, as part of the description, plans for the management of the land awaiting its use in transit service, to include its rental or other income-producing use. Also, included is a line-item budget estimate for the project.

Exhibit B--Public transportation system. This describes the existing system and follows the Sample Format for a Capital Grant Application.

Exhibit C--Project justification. This exhibit should rely heavily on the plans and studies that support the planned transit improvements for which the land is needed, and tie in closely with exhibit E.

Exhibit D--Financing the loan. This exhibit describes any efforts made to obtain private financing for this loan. It also contains the applicant's proposed method of securing the loan and a repayment plan or schedule.

Exhibit E--Planning. This follows the same format as exhibit F in the Capital Grant Application.

Exhibit F--Public transportation system. See exhibit G of Capital Grant Application.

Exhibit G--Labor. See exhibit I of Capital Grant Application.

Exhibit H--Public hearing. See exhibit J of Capital Grant Application.

Exhibit I--Relocation and land acquisition. See exhibit K of Capital Grant Application.

Exhibit J--Protection of the Environment. See exhibit L of Capital Grant Application.

Exhibit K--Evaluation of flood hazards. See exhibit O of Capital Grant Application.

b. Outside Referrals.

Every Final Application must be subjected to the following three external reviews:

* Department of Labor certification.

* A-95 clearinghouse review.

* Local comprehensive planning agency review.

There is a fourth review, which is a Federal agency review of environmental impacts resulting from the project. It is only required of those projects which may have a significant impact on the environment. (See DOT Order 5610.1A.) Of these four reviews, only the review by the Local Comprehensive Planning Agency (LCPA) differs from the requirements for outside referrals as explained in "Capital Grant and Loans" (chapter III) of this Handbook. Therefore, only this LCPA review is explained here. Refer to chapter III for details regarding the other reviews.

(1) Local Comprehensive Planning Agency Review.--The UMT Act requires the applicant for an advanced land acquisition loan to furnish a copy of its application to the comprehensive planning agency of the community affected by the project. This action should be undertaken concurrently with submission of the application to UMTA. The agency has 30 days in which to submit comments to UMTA (the time frame may be extended by UMTA, if so requested).

The agency's comments must be considered in the application review. If they do not fully support the application, and the application is not modified so that the agency can fully support it, the comments must be included in the approval memorandum as discussed in chapter III of this Handbook.

While this review is distinct from the A-95 clearinghouse review, it may be incorporated in that review with the written consent of the LCPA involved. Written evidence of this consent must be supplied to UMTA.

c. Final Review.

The final technical and financial reviews are made in the Office of Program Operations (UPO) based on the transportation representative's field visits, reviews of the transportation system, conferences with the applicant, and the material submitted as part of, or in support of, the final application. The Final Application and the materials submitted in support of it are the bases for the Final Legal Review, which takes the form of a legal report issued by the Office of Chief Counsel (UCC) during the project approval process.

In reviewing the Final Application to determine its completeness, the transportation representative makes a final check to ensure that the following items are included in an acceptable form and content.

d. Statutory Determinations and Requirements.

(1) Eligibility of Project and Applicant.--Normally, the eligibility question has been positively determined early in project development. A final eligibility determination should be made, however, to insure that all procedural and legal questions have been satisfactorily resolved so that both the project and applicant are eligible for funding under this UMTA program.

(2) Public Hearing.--This requirement supports sections 3(d) and 14(c) of the UMT Act, and is the subject of

exhibit G of the Final Application. The Final Application must contain:

* A transcript of the hearing.

* A copy of the published notice (refer to the model contained in exhibit J of app. 5).

The transportation representative must ascertain that:

* The hearing was held by the applicant, or another public agency designated by the applicant with UMTA concurrence.

* A notice of the hearing was published at least twice, the first appearance being not less than 30 days before the hearing date.

* The notice was published in local newspapers of general circulation, including newspapers oriented to the minority community.

* The notice indicated that the applicant made available to the public, prior to the hearing, the Preliminary Application,the applicant's environmental analysis, and the transit development program. If the transit development program was not completed, the applicant had to have shown that the proposed project was expected to be part of the completed transit development program.

* The notice contained the following information concerning the project:

  -- Location

  -- Estimated cost and method of financing

  -- Number of families and businesses likely to be displaced by the project

  -- Any anticipated adverse environmental impacts

-- Conformance to comprehensive land use and transportation planning

-- Any other significant economic, social, or environmental issues pertinent to the project

The Office of Program Operations and the Office of Chief Counsel review the hearing notice and the hearing transcript to determine that all parties with significant social, economic, or environmental interests were given adequate opportunity to present publicly their views and to evaluate the testimony given at the hearing.

When either the public hearing or notice of the public hearing is found to be inadequate, the applicant will be so advised, in writing, by the Associate Administrator (UPO-1). Any decision to require the applicant to hold another public hearing will be made by the Administrator or the Associate Administrator for Program Operations.

(3) Environmental Protection.--This requirement is fully discussed in chapter III. The applicant is responsible for performing his own Environmental Analysis of the proposed project. This analysis becomes exhibit I of the Final Application.

(4) Certification.--In support of the statutory requirements concerning adequate public hearings, environmental protection, and conformance with local comprehensive planning, UMTA requires the applicant to submit, as part of the Final Application, a certification that he:

* Has afforded an adequate opportunity for public hearings pursuant to adequate notice, and has held such hearings.

* Has considered the economic and social effects of the project and its impact on the environment and has found that the project is consistent with official plans for the comprehensive development of the urban area.

A model certification is contained in appendix 5.

(5) Protection of Private Companies.--Section 3(e) of the Act requires that certain UMTA determinations be made before any grant or loan assistance is extended for the purpose of:

* Acquiring any interest in a private mass transportation company.

* Purchasing facilities or other property of a private mass transportation company.

* Constructing, improving, or reconstructing facilities or other property acquired from any such company.

* Providing for the operation of mass transportation facilities or equipment in competition with or supplemental to service provided by an existing mass transportation company.

Specifically, UMTA must determine that the following requirements have been met:

* The project is essential to a program, proposed or under active preparation, for a unified or officially coordinated urban mass transportation system as part of the comprehensively planned development of the urban area.

* The urban mass transportation program provides, to the maximum extent feasible, for the participation of privately owned urban mass transportation companies.

* Where acquisition of the franchise or property of a privately owned urban mass transportation company is involved, just and adequate compensation will be paid to the extent required by State or local law.

* The Secretary of Labor certifies that the requirements for the protection of employees, as required by Section 13(c) of the Act, have been met.

Requirements concerning the participation of private companies and the protection of employees must be met by all capital grant and loan projects; questions arising from the acquisition of a franchise, or of private property, are to be referred to the Chief Counsel for an opinion as to just and adequate compensation. The requirement concerning the essentiality of the project is applicable to proposed as well as active programs when they are part of a unified or officially coordinated effort.

(6) Relocation and Land Acquisition.--The applicant must comply with the requirements of the regulations which support the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (for DOT regulations, see app. 7).

The applicant's relocation program is referred to the Relocation Specialist, Division of Project Management (UPO-20), for review to determine whether the grantee's program satisfies the prescribed DOT requirement.

(7) Labor Certification.--The certification as to whether the requirements of section 13(c) of the UMT Act have been met is referred to the Department of Labor for action.

This DOL certification must be granted before the application is forwarded for approval. The applicant must assure that all those employed by contractors or subcontractors performing construction work financed with UMTA assistance will be paid wages according to the provisions of the Davis-Bacon Act. Exhibit I of the Final Application (see app. 5) contains a model of such an assurance.

(8) Reasonable Expectation for Use in Transit.--The qualifications for eligible land and uses provide the guidelines necessary for the Office of Program Operations to determine whether it is reasonable to expect that the land will be used in transit service. The information needed to make this determination can be found in the Final Application, exhibits C, D, and E.

(9) Civil Rights' Compliance.--Each Final Application must contain a Title VI Civil Rights' assurance signed by an authorized official designated by the applicant. (See DOT Order 1050.2, "Standard DOT Title VI Assurances.")

The Final Application also contains a map of the applicant's jurisdiction as explained in Exhibit C of the Final Application Format. This map and its accompanying explanatory material are reviewed by the Office of Civil Rights and Service Development to determine whether the proposed project complies with Federal Civil Rights' requirements. All matters concerning Civil Rights are handled directly between the applicant and the UMTA Civil Rights' Office.

(10) Determination of Interest Rate.--The determination of the interest rate is based on:

* A rate determined by the Secretary of the Treasury. The Division of Financial Management, Office of Administration, and the Office of Chief Counsel receive a monthly statement from the Department of the Treasury giving the current interest rate. When a tentative closing date has been scheduled, the Division of Project Development requests UCC to obtain from the Treasury a projected interest rate for the closing date.

* The Secretary of Transportation's allowance for administrative costs and probable losses.

Because the Treasury rate is projected rather than actual, the interest rate quoted in the loan agreement shall be conditioned upon the actual Treasury determination of the interest rate on the date of project approval.

(11) Term of Loan.--Advance land acquisition loans, and interest thereon, become due and payable at the time any of the following events occur:

* The expiration of ten years from the date of the loan agreement.

* The execution of a Grant Contract with UMTA providing for actual construction of urban mass transportation facilities on the acquired land.

* A decision by the loan recipient that the land will not be used for mass transportation purposes.

The transportation representative must ensure that the applicant is (1) aware of these terms, and (2) aware that the loan agreement will provide for the actual construction of urban mass transportation facilities on the acquired land within a period not exceeding ten years following the date of the loan agreement.

e. Administrative Requirements and Policy Regulations.

(1) Conformance with Transit System Plans.--Exhibits C, D, and E of the Final Application contain the information necessary for the Office of Program Operations to make the determination that transit utilization of the land conforms to the transit plans adopted by the mass transportation planning agency in the applicant's area.

(2) Intergovernmental Coordination.--All applications for a capital grant or loan must follow the State and metropolitan clearinghouse review procedures contained in OMB Circular A-95. The transportation representative shall first ascertain that the review procedures have been followed (see the section "Outside Referrals," in chapter III of this Handbook), and second that UMTA has received the comments made by these clearinghouses. These comments shall then become part of the project file.

If the comments indicate that there is opposition to the proposed project, the transportation representative shall assist the applicant in resolving the conflicts that have arisen.

(3) Flood-Damage Protection.--Exhibit J of the Capital Grant Sample Format explains what information the applicant must supply if the proposed project includes construction in a flood plain. This information is required under Executive Order 11296 (August 10, 1966). The review of this information is performed by the Field Inspection Branch of the Division of Project Management (UPO-20).

(4) Security.--Ordinarily, the minimum security to be required will be a valid first lien of record on the acquired land. This will be evidenced by certified copies (true extracts or photostat) of credit and security instruments. Nonnegotiable instruments are held by the Division of Financial Management, UAD-20. The value of the land for this purpose will be determined on the basis of one of the following:

* Actual cost, if acquired by eminent domain proceedings.

* Appraisals by two competent independent appraisers, if acquired by negotiated purchase.

Title insurance may be required at the discretion of the Associate Administrator, Office of Program Operations (UPO-1), upon the advice of the Chief Counsel. In extraordinary cases, general obligation bonds, or other evidences of indebtedness issued by the applicant, may be accepted without requiring a lien on a specific property, providing the Chief Counsel (UCC-1) can determine that such securities are adequate to protect the Federal funds involved. Such negotiated instruments are held by UMTA's fiscal agent: the Federal Reserve Bank of Richmond, Virginia. Transfer of these instruments is made according to the requirements of the Federal Loss in Shipping Act (40 U.S.C. 721-729), or by any

bonded carrier when the face value of the instruments exceeds $20,000. The shipping of security and credit instruments is the responsibility of the Financial Management Division, Office of Administration.

(5) Project Budget.--This is an estimated line-item budget, and is part of exhibit A of the Final Application. It includes estimates of the actual costs of acquiring the land, or interests in land, the net cost of managing the property for the term of the loan, the computations used to arrive at this net cost figure, and relocation costs, if necessary. Section 2 b (3) of this chapter describes the eligible costs for a loan.

(6) Other Loan Requirements.--Other requirements unique to the loan program, such as the financial evaluation, Bond Counsel approval, and closing preparations, are the responsibility of the Division of Project Development, Office of Program Operations. The Office of the Secretary is contacted for support, as needed, in such areas as financial evaluation.

6. PROJECT APPROVAL

When it is determined that a proposed project meets the UMTA statutory and administrative requirements, the proposed project is recommended for the Administrator's approval by the Associate Administrator for Program Operations (UPO-1).

The Associate Administrator's recommendation is contained in the project approval memorandum. This memorandum is prepared by the transportation representative, and is part of the project Approval Package that is submitted to the Administrator for his review.

a. Contents of the Approval Package.

The Approval Package contains the following items prepared by the transportation representative:

* Approval memorandum

* Approval letter

* Project budget

For those grants of over $50,000, the transportation representative must also prepare:

* Draft press release

* Grant notification form

* "For the Secretary's Information"

Other items pertinent to the project contained in the Approval Package include:

* A copy of the latest available interest-rate determination made by the Secretary of Treasury.

* A Department of Labor section 13(c) certification.

* A final legal report prepared by the Office of the Chief Counsel (UCC).

* Approval by the Office of Civil Rights and and Service Development.

The last three items listed--the interest rate, the DOL certification, and the legal report--are not needed if the approval action is an amendment which involves a minor change in the project scope, or an increase in funds for an ongoing project. The approval action for these amendments is prepared by the Division of Project Management (UPO-20). A brief explanation of the items contained in the approval package is presented in the following paragraphs:

(1) Approval Memorandum.--This is the basic document that describes the proposed project and provides the Administrator with the information necessary to determine whether the loan meets the statutory and administrative requirements and is otherwise approvable.

The following outline provides a suggested format for preparing the approval memorandum for an advanced land acquisition loan. This outline generally follows the capital grant approval memorandum (see chapter III). Explanations are, however, provided for those paragraphs in the memorandum unique to the loan program.

1. Applicant

2. Project

3. Public transportation system

4. Project evaluation

5. Planning and transit development program--This section should discuss how the proposed project is a part of the transportation planning and transit development program that either exists or is being developed.

An additional requirement for advance land acquisition loans is that the applicant must submit a copy of its application to the comprehensive planning agency of each community affected, concurrently with submission to UMTA (see subsection 5b of this chapter). If, after reviewing a proposed application, the planning agency submits comments to UMTA, the Administrator is required to consider such comments before approving the loan. The approval memorandum should state that both of these requirements have been met and a copy of the comments should be included in the package.

6. Labor certification

7. Land acquisition and relocation

8. Section 204 and A-95 review

9. Legal and administrative criteria--This section should also contain the following statement evidencing specific findings that: "The real property involved in this application is reasonably expected to be required in connection with the mass transportation system in _____ (the applicable transit district or urban area), and will be used for urban mass transportation purposes within_____years (not to exceed eleven years)."

10. Review by the Office of Civil Rights-- This section must state that the Director of the Office of Civil Rights and Service Development has reviewed the pending application and has indicated his approval of the proposed project in the attached memorandum.

11. Loan requirements--Each loan approval memorandum should state separately: (1) the interest-rate determination of the Secretary of the Treasury with a copy attached and (2) the allowance (determined by the Administrator) considered adequate to cover administrative costs

and probable losses under the program, with a statement as to how it was determined. Although not specifically required by the Act, it is also a matter of UMTA policy to make a finding that the loan is of such sound value or so secured as to be reasonably assured of repayment.

12. Federal loan--This establishes the total Federal fund reservation and, therefore, includes any relocation grants made as part of the project. The total Federal funds equal gross project cost less any contributions made by or for the project sponsor.

13. Recommendation.

(2) Approval Letter.--This letter, signed by the Administrator, informs the applicant that his application has been approved. The Approval Letter for an advance land acquisition loan generally follows the format and content of an Approval Letter for a capital grant (see chapter III). Any conditions placed upon the project approval must be clearly stated in the approval letter, usually at the end of the first paragraph.

(3) Project Budget.--The project budget is a detailed, line-item budget which lists all the land or interests in land to be purchased as part of the approval project. It also contains the computations of the Federal loan and the cash draw-down schedule. It should be in the same format as the project budget for a capital grant or loan (see chapter III).

(4) Draft Press Release.--This is required for loans of more than $50,000. The transportation representative will draft a similar release on plain paper, not less than one-half page or more than two pages in length. The underlined parts of the DOT press release (see chapter III, Figure III-11) contain the type of information the Transportation Representative should incorporate in his draft press release. If a specific date or project announcement time is necessary, explain why in parentheses at the top of the press release. After the suggested press release is read, approved, and initialed by the Associate Administrator for Program Operations, the original and three copies are included in the approval package forwarded to the Administrator.

(5) Grant Notification Form.--The Grant Notification form is required for loans of more than $50,000. Figure III-12 is a copy of the form, which is to be completed with additional descriptive information needed to notify congressional interests, or to answer press inquiries. Such backup material should permit adequate evaluation of the proposed action by the Secretary.

(6) "For the Secretary's Information."--This is a brief description of the project, including the amount of the Federal loan.

b. Organization and Routing of the Approval Package.

The Approval Package is prepared and assembled in the Office of Program Operations. Appendix 14 discusses the organization, processing and routing of the Approval Package.

c. Congressional Notification and Release.

The following procedures govern congressional notification and project release, as well as clearance of other public information actions in UMTA.

The UMTA Director of Public Affairs (UPA-1) insures that all contracts and grants requiring clearance are submitted to the Secretary before release. He notifies the Secretary (attention S-80 and TAD-60) of UMTA's intent to make any contract award of $100,000 and over, and all grant offers over $50,000, five working days in advance of the proposed award date. Complete information is provided the UMTA Office of Public Affairs seven working days prior to necessary congressional notification, by means of the draft press release and grant notification form contained in the Approval Package.

The notification form shall include adequate descriptive information to assist those required to provide public, press, or congressional information or to answer inquiries from those sources. If appropriate, indicate any special factors which should be taken into consideration in the timing of the release.

The actual date of award will be determined by the Secretary. UMTA will be notified of such date by OST or by S-70. No announcement will be made by UMTA prior to such notification.

7. EXECUTION OF LOAN AGREEMENT

The loan agreement is drafted by the Office of Chief Counsel, at the time that the Final Legal Review is made. The agreement is then made part of the Approval Package, so that the Administrator may review it when considering project approval.

The date of the closing is usually arranged by the Division of Project Development at the convenience of UMTA and the applicant. It may take place either at UMTA's offices, at the applicant's offices, or at another place mutually agreed upon. The Associate Administrator for Program Operations, or the Administrator, signs the loan agreement for UMTA.

8. MANAGEMENT OF LOAN PROJECTS

An advance land acquisition loan project generally is managed in the same manner as a capital grant or loan project. The Federal Reserve Bank of Richmond, UMTA's fiscal agent, receives all payments made against the loan and reports all loan payment activity to the Division of Financial Management (UAD-20). All interest payments are applied by the fiscal agent to the Urban Mass Transportation Fund. Payments against the loan principal and any additional payments are returned by the fiscal agent to the U. S. Treasury, where they are credited to miscellaneous receipts, through account number 69x4119.

a. Additional Payments.

Additional payments consist of income generated through use of the land, or parts of the land, for purposes other than mass transportation. UMTA must give its prior concurrence in this temporary use, which must not interfere with the planned use for which the land was acquired. When put to this temporary use, the borrower must pay to UMTA, through its fiscal agent, a sum that equals the difference between the fair rental value of the land involved and the actual cost of its management during the period of temporary use. The fiscal agent applies this sum first against the accrued interest and then to reducing the principal of the loan.

b. Repayment.

The schedule for repayment is set forth in the loan agreement. Advance land acquisition loans will ordinarily be repaid in cash, in one lump sum of both

principal and interest, within 30 days after the due date. It may be prepaid by the borrower, however, at any time.

The borrower may sell any portion of the acquired land or devote it to non-mass-transportation uses, with the prior-written concurrence of UMTA. If the borrower sells the acquired land or any portion of it, or decided not to use it for mass transportation purposes, or if ten years have elapsed from the date of the loan agreement and actual construction of mass transportation facilities on the land has not begun, the borrower will promptly pay UMTA an amount that corresponds to the acquisition cost of the land involved. This amount will be applied first against the accrued interest and then to reducing the amount of the principal.

In addition to the repayment described in the preceding paragraph, the borrower will be obligated to pay UMTA two-thirds of any increase in the value of the land involved over its acquisition cost. This additional payment will not be applied against either the principal or accrued interest of the loan. If the land involved is sold at public sale, the current value will be considered to be the sale price. Otherwise, the current value will be determined by UMTA on the basis of appraisals of the land conducted by two independent appraisers acceptable to UMTA.

c. Forgiveness.

If an urban mass transportation capital grant project for construction of facilities on the acquired land is approved before the due date of the loan, the grant agreement may provide for forgiveness of the principal and accrued interest on the loan in lieu of a cash grant in the amount forgiven. The outstanding debt may be considered as an eligible project cost of which, as with the other eligible project costs, a maximum of two-thirds may be paid by UMTA. Thus, when computing the Federal grant for this capital grant project, the outstanding principal and interest will be subtracted from the amount of the maximum grant available to the project.

Chapter VI
Technical Studies

		Page
1.	Program Description	VI-1
2.	Eligibility Requirements	VI-1
	a. Eligible Applicants	VI-1
	(1) Long-Range Transportation Planning Studies	VI-1
	(2) Other Transit Studies	VI-3
	b. Eligible Projects	VI-4
	(1) Long-Range Transportation Planning Study	VI-4
	(a) Initial Planning Phase	VI-5
	(b) Continuing Planning Phase	VI-7
	(c) Plan Refinement Phase	VI-8
	(2) Preliminary Engineering Studies	VI-8
	(3) Short-Range Transit Studies	VI-9
	(a) Transit Development Studies	VI-9
	(b) Immediate Action Studies	VI-11
	(4) Special Studies	VI-11
	(5) Other Administrative and Program Requirements	VI-11
	(a) Environmental Analysis	VI-12
	(b) Aged and Physically Handicapped	VI-14
	(c) Civil Rights Analysis	VI-17
	(d) Preservation of Railroad Rights-of-Way	VI-18
3.	Program Management	VI-18
	a. Inquiry	VI-18
	b. Internal UMTA Processing of Technical Study Applications	VI-19
	(1) Receipt of Project Applications	VI-19
	(2) Routing Applications for Review	VI-19
	c. Project Evaluation Criteria	VI-20
	d. Visits and Conferences	VI-21
	e. Letter of No Prejudice	VI-21
	f. Applications Status Report	VI-22
	g. UMTA Office of Public Affairs	VI-23
4.	Preliminary Application and Review	VI-23
	a. Structure and Contents	VI-23
	b. UMTA Determinations	VI-24
	(1) Eligibility of Applicant	VI-24
	(2) Eligibility of Project	VI-24
	(3) UMTA Funding Feasibility	VI-24

5. Final Application..... VI-24
a. Structure of the Final Application..... VI-25
b. Outside Referrals..... VI-25
(1) HUD Planning Recommendation..... VI-25
(2) A-95 Clearinghouse Review..... VI-26
c. Final Review..... VI-27
d. Statutory Determinations and Requirements..... VI-28
(1) Eligibility of Project and Applicant..... VI-28
(2) Needs of Elderly and Handicapped..... VI-28
(3) Civil Rights Compliance..... VI-28
(4) Planning Requirements..... VI-28
(5) Source and Availability of Local Matching Funds..... VI-29
e. Administrative Requirements and Policy Regulation..... VI-29
(1) Coordination with Other DOT Elements. VI-29
(2) Cash Disbursement Schedule..... VI-30
(3) Project Budget..... VI-30
(4) Required Support Documents for Technical Studies..... VI-30
(a) Unified Work Program..... VI-30
(b) Unified Operations Plan..... VI-34
(5) Intergovernmental Coordination..... VI-35
(6) Consideration of RD&D Results..... VI-35
(7) Public Fallout Shelter Construction.. VI-36
6. Project Approval..... VI-36
a. Contents of the Approval Package..... VI-37
(1) Approval Memorandum..... VI-38
(2) Approval Letter..... VI-38
(3) Project Budget..... VI-38
(4) Draft Press Release..... VI-38
(5) Grant Notification Form..... VI-39
(6) "For the Secretary's Information".... VI-39
b. Organization and Routing of the Approval Package..... VI-39
c. Congressional Notification and Release.... VI-39
7. Execution of Grant Contract..... VI-40
8. Project Management..... VI-40
a. Progress and Financial Reports and Reviews..... VI-40
(1) Timing of Reports..... VI-41
(2) Quarterly Progress Reports..... VI-41
b. Requisition Review and Approval..... VI-42
c. On-site Visits..... VI-42

Chapter VI (Cont'd)

d. Technical Studies Reports..... VI-43
(1) Interim Reports..... VI-43
(2) Final Reports..... VI-44
(a) Final Report Outline..... VI-44
(b) Draft Final Report..... VI-44
(c) Final Report..... VI-46
(3) Evaluation Report..... VI-47
(4) Reporting Requirements for Continuing Phase of the Transportation Planning Program..... VI-47
(a) Brief Summary Statement..... VI-47
(b) Annual Report..... VI-47

CHAPTER VI

List of Figures

Figure No.	Title
VI-1	Environmental Analysis
VI-2	Letter of No Prejudice
VI-3	Memorandum Recommending Letter of No Prejudice
VI-4	Application Checklist
VI-5a	Proposed Funding Sources
VI-5b	Agency Participation
VI-6	Technical Studies Approval Memorandum
VI-7	Approval Letter for Technical Studies Grant
VI-8	Approved Project Budget

CHAPTER VI

TECHNICAL STUDIES

1. PROGRAM DESCRIPTION

Section 9 of the Urban Mass Transportation Act of 1964, as amended, authorizes a program of grants to assist States and local public bodies in making technical studies to plan and improve mass transportation service in urban areas. Grants authorized under this program are limited to two-thirds of the cost of the studies and must be matched by State or local financial participation of one-third the cost of the study.

2. ELIGIBILITY REQUIREMENTS

a. Eligible Applicants.

Only State and local public agencies are eligible as applicants for grants for technical studies. Eligible public agencies include: States; municipalities, or other political subdivisions of States; public agencies and instrumentalities of one or more States, of one or more municipalities, or of other political subdivisions of States; and public corporations, boards, and commissions established under State law. In determining an applicant's eligibility as the designated grant recipient agency, the following criteria are used:

(1) Long-Range Transportation Planning Studies--For all long-range transportation planning studies, a single grant recipient agency in each metropolitan area will be agreed upon. The grant recipient agency will usually be the agency responsible for general comprehensive and/or transportation planning within the region; in certain cases, a grant recipient may act as a coordinating agent for several public agencies which are responsible for carrying out coordinated planning in a region. In these instances, a formal memorandum of agreement among participating agencies which specifies the grant recipient must be entered into. The grant recipient agency for long-range transportation planning funds will be the agreed upon areawide organization with responsibility for comprehensive and/or transportation planning on a continuing basis. In order of preference, this agency should be:

* The State-created or authorized agency responsible for comprehensive and transportation planning within the area

* The voluntary agency responsible for comprehensive and transportation planning within the area

* The State-created agency responsible for transportation planning within the area

* The voluntary agency responsible for transportation planning within the area

* An arrangement based on formal agreements between or among the comprehensive and transportation planning agencies

This designated agency is responsible for both coordination and administration of these studies. This agency may also receive and be responsible for the general administration and coordination of all additional technical studies grants, including preliminary engineering, short-range planning studies and special studies, if other participating local agencies support this approach. If the designated agency is the recipient of all technical studies funds, it does not prevent other agencies, transit operators or jurisdictional areas with responsibilities for transit planning, from receiving UMTA funds through inter-agency agreements and a flow-through arrangement.

However, if preliminary engineering, short-range studies or special study grants are made to other than this designated planning agency, then this designated agency has responsibility for coordination of these studies.

The recipient agency for the long-range transportation planning activity will be responsible for the following items, all or parts of which are eligible for funding under the Technical Study Program:

* The preparation of a comprehensive areawide development program and plan,

* The development of an areawide, multimodal, long-range transportation planning program that is consistent with the comprehensive plan,

* The integration of the transit components with other transportation elements of the planned program,

* The compatibility of the five-year transit development program with long-range transit components,

* The development of the organizational mechanisms (policy and technical) to monitor the program. This organizational structure shall include representation from all jurisdictional, planning, and operating bodies in the area, and must have the ability to guide the implementation of the program's recommendations,

* The development of a mechanism for citizen involvement in the planning process. This should include both business interests and community groups,

* The development of the unified annual work program for all transportation planning activities. This document will be the basis for all Federal funding of transportation planning activities,

* The development of a unified operations plan for transportation planning covering a two- to five-year period,

* The coordination of planning activities of individual transit operators including the preparation of a coordinated transit development program,

* The determination of a consistent time period for all federally-sponsored and local planning activities.

(2) Other Transit Studies--For preliminary engineering, short-range, and special studies, the grant recipient may be any transit operating agency, municipality or other agency as specified below:

* An agency may be funded directly to undertake a transit development study in areas with single or multiple transit operators, if this agency represents the interests of all operating agencies and jurisdictions in the area and also the responsibility and ability to coordinate and implement the transit development program (i.e., authorities, cities, etc.).

* A transit agency may be funded directly to undertake a transit development study if it is the only operating agency in the area.

* A transit agency may be funded directly to undertake preliminary engineering studies.

* A transit-operating agency may be funded directly to undertake management, marketing, or similar operational studies.

In such cases, the grant recipient agency will be responsible for administration of the individual study; coordination of the individual study with all other transit studies in the area; and coordination with the transportation planning activities of the designated regional planning agency.

In each case where the designated planning agency is not the grantee, close attention must be paid to the A-95 review for the project and, in some cases, an interagency agreement will be requested to insure that transit studies and plans are consistent with long-range plans and regional priorities.

b. Eligible Projects.

There are four major types of studies funded by the technical studies program: (1) Long-range transportation studies, (2) Preliminary engineering, (3) Short-range transit planning studies, and (4) Special studies.

The following discussion lists and defines each of the studies. It also indicates the desired study products and the interrelationships among the various study types. The study definitions are consistent with the FHWA planning programs and therefore will facilitate the coordination and integration of highway and transit elements. This coordination is essential if the goal of a unified transportation planning program is to be achieved.

(1) Long-Range Transportation Planning Studies--Transportation planning is concerned with all the facilities used for the movement of persons and goods and, within the framework of comprehensive planning, is based on the collection and analysis of pertinent data, the identification and refinement of transportation goals and criteria, and the planning of urban transportation systems needed to meet them.

The transportation planning effort is generally based on a 20-year horizon. The intensity of the transportation planning effort should be based on the size of the urban

area and the level of potential financial investment in the transportation facilities. The most intense efforts should occur in large areas. For small urban areas, the intensity of transportation planning should reflect the flexibility and usable life of the transit capital investment. The transportation planning process should not attempt to include a vigorous transit element from a 20-year horizon period but should concentrate on improvements to be made in a five- to ten-year period.

For medium and large urban areas, the intensity of required transportation planning should also reflect the flexibility and usable life of the potential transit capital investment. For fixed-guideway transit systems, the 20-year horizon period is consistent with the immobility of the guideway and usable life of the investment. For bus system extensions, new services, or improvements, a ten-year horizon period is consistent with the short vehicle lifetime and the flexibility of route location. However, for consistency with highway planning, a gross methodological framework should be established for the 20-year horizon.

For urban areas, medium or large, considering fixed-guideway transit investments, it is essential that the transportation planning effort be integrated at a 20-year horizon period and that it proceed at a very intense level conforming to the process descriptions that follow.

In general, the transportation planning process involves three phases: initial planning phase, plan refinement phase, and continuing phase.

(a) Initial Planning Phase.--In the initial planning phase, a transportation plan is developed to meet present and future needs of the metropolitan area. The development of this plan should be consistent with regional goals and objectives and should be truly comprehensive in terms of geography, population, alternative transportation modes and land-use patterns.

This phase should involve the collection and analysis of travel and socioeconomic data, the determination of existing, latent and future travel demands, the development of alternate strategies for meeting these demands, and the selection of optimum transportation systems.

The initial phase should include the analysis of all available transportation technologies to meet the travel demand and desired urban development patterns.

In medium and large urban areas, where more extensive analysis should be employed, the initial phase should include analyses which measure needs against available transportation technology (by mode) and make alternative decisions based on comprehensive analyses of benefits and costs and the attainment of community goals and objectives. This phase should define major transportation corridors, subareas, sectors, or service areas, as well as the demand for travel in these areas. Alternative modes should be studied within these areas. Modal system mixes should be chosen and system patronage determined. These results should be evaluated on a regional basis to assure that the individual corridor analyses are consistent with the development of the entire regional system. From this analysis, a regional transportation plan should be developed consisting of highway and transit elements. These plans should include:

-- Examination of alternative transit systems based upon level of service to transit riders,

-- Examination of alternative systems based on the latent demand for travel to indicate how alternative systems could meet the needs of transit-dependent groups; and,

-- Consideration of non-capital intensive transportation alternatives.

In evaluating alternative transportation systems in the development of the regional transportation plan, the following should be addressed:

-- Consideration of previous project investments and maximizing the efficiency of current facilities and equipment,

-- Examination of all reasonable mechanical alternatives, of usage of newest state-of-the-art technology, and adaptability of the project to future technological advances,

-- Analyses of alternative systems on the basis of full-system costs--research, development, capital investment and operations; and,

-- Considerations of alternatives which reflect joint improvement of urban streets and public transit.

The long-range transit plan should define the transit system by corridor and mode; however, it may not necessarily include selection of specific route and station location, or define the final transit technology. It should include: general systems location; general service characteristics; estimates of patronage; preliminary estimates of hardware and rolling stock needs; gross cost estimates; and demonstrate that the coordination of grade-separated conventional street and highway transit has been accomplished.

In the initial phase in large urban areas and in medium urban areas comtemplating rail rapid transit, it is extremely important that each of the elements previously described be considered prior to system selection.

(b) Plan Refinement Phase.--Plan refinement studies detail the long-range transit plan or a project-by-project basis. These studies are necessary whenever grade-separated transportation facilities are being tested and analyzed (e.g., freeways, busways, rail-rapid). These studies follow the initial phase and lead to preliminary engineering and system implementation. Typically, this phase follows the adoption of the long-range transit plan developed under the initial study phase.

There should be specific emphasis on system impact--both economic, social and environmental; considerations for the aged and handicapped in system design and development; and impact of the system on minority groups. Efforts should also be directed toward refinement of the non-capital intensive program. Also, careful consideration should be given to comments of citizens and other interest groups and various local, State and Federal agencies.

The plan refinement phase should amplify analysis undertaken in the initial phase. It should also address a workable program for implementation. The plan refinement should include the following elements:

* Preliminary implementation plan;

* Specific route and station location;

* Technology selection;

* Environmental impact;

* Social impact on target groups;

* Urban development impacts;

* Financial feasibility;

* Refinement of line-haul demand; and,

* Refinement of station access movements.

(c) Continuing Planning Phase.--Another major phase of the long-range transportation planning process involves the continuing program to maintain and update the transportation plan. This continuing program should be based upon a unified operations plan. In transit, this involves the maintenance and update of the long-range transit plan and the five-year transit development program.

Two major elements of the continuing phase are surveillance and reappraisal. Surveillance involves the maintenance of certain data to compare and evaluate existing conditions with forecasts and recommended plans and maintenance of data required by transit operators to adjust routes and scheduling, and to update the transit development program.

Reappraisal is the sequence of activities directed at maintaining a current and valid regional transportation planning process. It involves routine analysis (annually), major review (every five years), and plan reevaluation (every ten years).

(2) Preliminary Engineering Studies--Preliminary engineering studies produce the broad engineering design elements of each project as defined by the priorities established in the plan refinement phase. The level of detail of preliminary engineering design provides the necessary information from which comprehensive final designs will be prepared. These studies are also the basis of the detailed cost estimates upon which a capital financial plan is based.

Preliminary engineering studies include the following elements:

* Vertical and horizontal alignment determination;

* Line profile mapping;

* Typical station layouts;

* Typical line cross-sections for depressed, at-grade, and elevated alignments;

* Typical bridge and tunnel structures;

* Unit costs for all project elements;

* Total project costs; and,

* Preliminary soil analysis.

Based on the preliminary engineering study and the information developed in the plan refinement phase, an application for a capital grant can be prepared to implement each stage of the long-range transit plan through design and construction phases.

(3) Short-Range Transit Studies--

(a) Transit Development Studies.--These studies are for the preparation of a Transit Development Program, consistent with comprehensive and transportation planning, for the development of a unified or officially coordinated mass transit system for the urban area.

This Transit Development Program must be for a five-year period and address the need for capital intensive and non-capital intensive changes to public transportation services to increase transit usage, and to provide greater mobility to urban residents. In areas of over 250,000 persons, the program must include improvements which reduce levels of urban congestion and promote transit as a positive force in influencing development patterns and improving environmental conditions.

The Transit Development Program should be jointly and cooperatively developed by the regional planning agency, the transit operators, and appropriate city departments (i.e., planning sections, streets and highway, traffic engineering, etc.).

The program must indicate the way in which available transit facilities, those facilities to be provided under the capital improvement program, and the non-capital improvements, will achieve a unified or officially coordinated mass transportation system so as to provide maximum practicable service to the urban area.

The program must include an indication of priorities and phasing of the proposed improvements - capital and non-capital - over the five-year period.

The program must explicitly address the mobility of those totally dependent on public transportation through the analysis of existing conditions, projections or ridership in the development period, proposed changes in service levels, and justification of capital intensive improvements.

The program must include carefully prepared justification for all recommended capital and non-capital intensive improvements based on adequate and detailed technical analysis. Documentation should include the effect of these improvements on providing better levels of service to the entire community, in increasing mobility to those groups dependent upon transit, and, where appropriate, the effect on reducing urban congestion and influencing urban development patterns.

The program should delineate those agencies responsible for carrying out the recommended improvements.

The program should indicate what arrangements or procedures for the annual maintenance of the Transit Development Program have been established. The continuing phase transportation planning program should contain surveillance procedures which are necessary to connect the data required to update the Transit Development Program.

The Transit Development Program should contain the following elements:

* Evaluation of existing conditions;
* Ridership impact;
* Changes in service levels;
* Estimates of costs and revenues;
* Coordination of transit services;
* Recommended capital improvements;
* Past or current assistance efforts;
* Transit management and operations improvements; and,
* Results of RD&D program. The program should include the evaluation of hardware and software results of the UMTA Research, Development and Demonstration Program, as to their applicability to recommended improvements.

While all of the above elements should be included in every Transit Development Program, the following additional elements should be included in programs developed for areas of over 250,000 persons.

* Non-capital intensive solutions; and,

* Congestion relief.

In certain areas, an adequate Transit Development Program may be available; however, certain specific operational studies may be desirable to improve the existing system operation. In such cases, specific elements of the Transit Development Program may be studied independently. Studies of this type include:

* Marketing program development;

* Alternative management studies;

* Maintenance improvement program; and,

* Public information and communication studies.

(b) Immediate Action Studies.--These studies are usually based upon an impending transit crisis such as stoppage of service, strike, etc., and are undertaken to provide immediate recommendations to avert the crisis. Such studies are usually of a two- to three-month duration and generally become or are part of a complete Transit Development Program which may take six to twelve months to complete. Depending on the local situation, various elements of the Transit Development Program are included. Crisis situations receive high-priority attention and are handled on an individual basis.

(4) Special Studies--Technical studies funds are available for the following special studies:

* Transit impact;

* Airport access;

* CBD circulation, etc.

The prime prerequisite for UMTA funding of the transit portion of these studies is that they be integrated with the on-going planning process in the area. Administrative and technical coordination mechanisms must be effected between the special studies and long-range transportation planning, preliminary engineering, and short-range transit planning in the area.

(5) Other Administrative and Program Requirements--In addition to the above eligible items, there are certain administrative and legislative requirements which can be funded under

the Technical Study Program. In each case these items should be included as part of the long-range transportation planning process or preliminary engineering. For example, environmental impact analysis could be an integral part of plan refinement and preliminary engineering studies. However, a specific item can be studied separately, if necessary.

(a) Environmental Analysis.--To ensure that the requirements of the National Environmental Policy Act of 1969 and sections 3(d) and 14 of the UMTA Act have been met, UMTA requires that every capital grant and loan application go through certain procedures. (See DOT Order 5610.1A, "Procedures for Considering Environmental Impacts," for Departmental policy and procedures.)

According to DOT Order 5610.1A, the work program of a technical study undertaken for the purpose of planning a capital grant project shall include an analysis of the environmental impacts of the project studied, unless such analysis is otherwise provided.

An environmental analysis of the proposed project is prepared by the applicant and submitted as part of the preliminary capital grant application, or soon enough thereafter to be included in the information made available to the public prior to the public hearing.

Those cases in which an environmental analysis may be required are listed in Figure VI-1. The environmental analysis carried out with technical study assistance should address the following items:

1. A description of the proposed action and its purpose, including such maps, diagrams or photographs as may be helpful in understanding the project in sufficient detail to permit the careful analysis of impacts.

2. The probable impact of the proposed action on the environment.

3. Any probable adverse environmental effects which cannot be avoided should the proposal be implemented, and a description of the steps that have been taken to minimize these effects. Where a benefit/cost analysis has been prepared, it should be attached to the environmental analysis.

4. Identification and analysis of alternatives to the proposed action or portion thereof having an adverse impact, including the alternative of not going forward with the proposal.

5. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity. This, in essence, requires an assessment of the action for cumulative and long-term effects from the perspective that each generation is trustee of the environment for succeeding generations.

6. Identification of any irreversible and irretrievable environmental impacts or commitments of resources which would be involved in the proposed action should it be implemented. This requires identification of the extent to which the action curtails the range of beneficial uses of the environment and contemplates identifying the initiation of a course of action or series of actions which could have cumulative effects.

7. A discussion of all issues, problems and objectives raised in any hearing and in the review process and the disposition of the issues or objections.

For any application that requires the use of any publicly-owned land from a public park, recreation area, wildlife or waterfowl refuge, or any land from an historical site of national, State or local significance, these additional points must be addressed:

* Description of "any publicly-owned land from a public park, recreation area or wildlife refuge" or "any land from an historic site" involved in or taken by the project, including its size, available activities, use, patronage, relationship to other similarly-used lands in the vicinity of the project, maps, plans and drawings showing in sufficient scale and detail the project and its impact on park, recreation, wildlife, or historic area, and slides, photographs, etc., as appropriate.

* Similar data, as appropriate, for alternative designs and locations, including cost estimates and technical feasibility, and appropriate analysis of the alternatives.

* A statement of the "national, State or local significance" of the area. Any finding that such land or site is not of significance must be supported by evidence from the Federal, State or local agency having jurisdiction over the area.

Where the application involves a district, site, building, structure, or object that is included in the "National Register," the applicant's Environmental Analysis should also address the following points in separately-numbered paragraphs:

* Steps taken to take into account the effect of the proposal on National Register property;

* Records of consultations, if any, with the Office of Archeology and Historic Preservation of the National Park Service;

* Records of consultation with, and action, if any, by the Advisory Council on Historic Preservation (with a statement that subsequent Council actions, if any, will be attached).

(b) Aged and Physically Handicapped.--In the development of technical studies, consideration should be given to the safety and mobility problems of the elderly and the physically handicapped. Studies should investigate the costs of special equipment or facilities, the ridership expected to be attracted to such equipment or facilities, special routing or fare structures to meet the needs of these groups, or other efforts to attract the elderly and handicapped as riders and improve service for them. Studies should also identify those sections in the urban areas with large populations of elderly and handicapped.

In these studies the following issues should be addressed, among others:

* Identifying the travel barriers in the existing transportation system;

* Present and potential origins and destinations;

* Purpose of travel, number of trips, times of day;

* Factors influencing modal choice;

* Attitude toward crowds and strangers;

* Criteria for design consideration:

  -- Fare collection system

     Dispersal of fare collection
     Use of passes
     Credit cards
     Ticket issuing machine
     Special ticket lines
     Fare collection gates for wheel chairs
     Improved coin receiver

  -- Departure time displays: stations and terminals

     Illuminated status board
     Television display

  -- Pedestrian directional information

     Visual indicators
     Floor texture pathways
     Audio signals

  -- Movement in crowds

     Boarding procedures
     Special travel lanes

  -- Level changes in stations

     Elevators
     Escalators
     Inclined elevators
     Ramps
     Stair lift

* Waiting Situations;

  -- Shelter from inclement weather

-- Personal safety in waiting areas

-- Conveniences to telephone, concessions, rest rooms, etc.

-- Seating with arm rests

* Long Walking Distances;

-- Auto parking and stopping

-- In-terminal transportation - (moving sidewalk, small electrically driven train with rubber tires, etc.)

* Subways and Elevated Trains;

-- Sudden movement

-- Acceleration, braking and swaying control

-- Stanchions and overhead grips

-- Shorter walk to seats

-- Improved placement of doors

* Buses and Trolleys;

-- Special bus lanes

-- Sudden movement

-- Crowd control

-- Vehicle steps

-- Ramps and lifts

-- Major bus design

-- In-bus barriers

As in the case of environmental impact work, the needs of the elderly and handicapped should be considered as an elementary part of long-range planning and/or preliminary engineering studies.

(c) Civil Rights Analysis.--Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." DOT's Title VI program, Part 2, Title 49 Code of Federal Regulations, states that "Any person who is or seeks to be, a patron on any public vehicle which is operated as a part of, or in conjunction with a project, shall be given the same access seating and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin." In addition, "No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin." Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin." Lastly, "In determining the types of services, financial aid, or other benefits, or facilities which will be provided under any program for which Federal financial assistance is authorized, or the class of persons to be afforded an opportunity to participate in any such program, an applicant may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objective of the program with respect to individuals of a particular race, color, or national origin."

The Administrator of the Urban Mass Transportation Administration states in his memorandum of December 23, 1971, in part, that the Director of the Office of Civil Rights and Service Development must review and approve all applications for Capital Assistance, Technical Study, and Research, Development and Demonstration grants to ensure that the requirements of DOT's Title VI program are being met. Therefore, the following items should be addressed, among others:

* How the proposed study will affect minority areas;

* The controls to be used to ensure that such things as routings, scheduling, quality of service, quality of stations serving different routes, locations of routes, frequency of service, and age and quality of vehicles assigned to routes, are planned and implemented so

that no person or group of persons will be discriminated against on the basis of race, color, or national origin; and,

* How the residents from the affected minority areas will be involved in the planning process of a proposed study in order that the plans, programs, and policies developed during the study will be responsive to the needs of these residents.

The final report resulting from an UMTA-funded technical study should contain sufficient demographic, economic, and technical data to assist in comparing and evaluating existing conditions with forecasts and recommended changes.

(d) Preservation of Railroad Rights-of-Way.--An early awareness of potential abandonments of railroad rights-of-way is desirable in metropoiitan areas. As part of the long-range transportation planning for the area, it is possible to undertake rights-of-way studies using urban mass transportation technical study funds. Also, in areas where line-haul transit facilities are feasible, transit planners should consider the utilization of existing rights-of-way in planning new systems and major extensions of existing systems. Such rights-of-way studies and feasibility analyses are eligible for funding with technical study grants.

3. PROGRAM MANAGEMENT

a. Inquiry.

An inquiry related to the Technical Study Program should be forwarded to the Division of Technical Studies, Office of Program Operations (UPO-30).

The transportation representative, Division of Technical Studies, becomes the prospective applicant's contact in UMTA. Through this initial contact, the Associate Administrator (UPO-1), with the recommendation of the Director, Division of Technical Studies (UPO-30), decides whether the inquiry should be dropped or developed into an application. He may also request that the Division of Technical Assistance (UPO-40) and the Division of Project Development (UPO-10) be consulted to evaluate the transit needs of the area and recommend alternatives for transit improvement.

b. Internal UMTA Processing of Technical Study Applications.

(1) Receipt of Project Applications--All applications, preliminary and final, are received by the Office of Administration, Program Administration Division (UAD-10), either directly through the United States mail or from a transportation representative who has received an application which was hand delivered by an applicant. Both preliminary and final applications for a technical study are submitted in the original and five copies.

The Program Administration Division takes the following actions on each application, immediately upon receipt:

* A project number will be assigned from the Project Number Control Register.

* A letter of acknowledgment will be prepared and sent to the applicant.

* A form UMTA F-18 will be completed, reviewed and filed.

* A Summary of New Project Submittal will be prepared for use in disseminating information on the proposed grant project promptly on the key operating and staff offices in UMTA, and also to inform HUD and other DOT constitutents in accordance with the DOT-HUD exchange of information agreement (see Figure III-1).

* The Master Project File will be set up, containing the signed original of the application, with all supporting documents, and also any preapplication correspondence accumulated in the inquiries file.

* Basic control data will be entered into the Management Accounting & Control System and the Secretary's 170 Information System.

(2) Routing Applications for Review--Upon receipt of a preliminary or final application, the Program Administration Division contacts the responsible transportation representative to advise him that the application has arrived and to get approval or instructions concerning its distribution. With any

such instructions in mind, the Program Administration Division will distribute or hold copies of the application. The application is routed as follows:

original -- the Master Project File

1 copy -- Transportation Planning Branch, Division of Technical Studies

2 copies -- Dept. of Housing and Urban Development, Planning Standards Office

1 copy -- Office of Civil Rights and Service Development

1 copy -- Office of Chief Counsel

Upon completion of their reviews, the Office of Chief Counsel and the Office of Civil Rights and Service Development return their copies of the application to the Program Administration Division for inclusion in the project file.

c. Project Evaluation Criteria.

In evaluating individual projects for funding under the Technical Study Program, priority will be given to applications for assistance which emphasize areawide analyses of transit problems within the framework of comprehensive planning. Assuming such a regional approach, priorities are as follows:

* Short-range, immediate action studies in communities threatened with the loss of all transit service;

* Transit development programs designed to develop five-year capital and operating programs in urban areas;

* Plan refinement and preliminary engineering studies of high-speed, high-capacity transit systems which are based on regional comprehensive planning; and,

* Long-range transportation planning as an integral part of comprehensive planning.

Within this framework, priority will be given to those applications which will examine the provision of direct transit assistance to the elderly.

d. Visits and Conferences.

The transportation representative and a transportation planner may visit the applicant during the application development stage. These individuals may conduct visits as a team, or separately.

Such visits provide UMTA with an opportunity for an on-site view of the problems to be addressed and the urban area in which they exist. UMTA also reviews the operations and staff of the applicant and may ascertain the existence and conditions of the interagency and intermodal cooperation.

The transportation planner uses on-site visits to gain a fuller understanding of the situation. It enables him to better advise the transportation representative and the applicant on the technical areas that need greater attention. He may also wish to suggest technical alternatives, based upon his views of the institutional capabilities and planning resources in the area.

Other visits between UMTA and the applicant may be held either in Washington or in the field, whichever site better serves the purpose of the meeting.

e. Letter of No Prejudice.

A Letter of No Prejudice authorizes an applicant to commit local funds before project approval without prejudice to the inclusion of such amounts as are eligible as project costs, if and when a Federal grant for the project is approved. It is signed by the Administrator on the recommendation of the Associate Administrator, Office of Program Operations.

A Letter of No Prejudice may be issued when it is necessary for an applicant to begin work on the study due to:

* Threat of loss of transit service within six months.

* Loss of local funds if the study does not proceed immediately.

* Prevent avoidable delay in the timely completion of the study because of unique elements of the study, e.g., timing of specialized surveys.

The following four conditions are prerequisites to the issuance of a Letter of No Prejudice:

(1) The Final Application for the proposed project is complete, except for--

* Only limited documentation, not substantive to project approval, as needed to support the Final Application

* Completion of the UMTA Planning Evaluation which is based on HUD recommendations.

(2) UMTA review indicates that the project is approvable and meets selection criteria for approval within funds already available or estimated to be available in the following fiscal year.

(3) The Final Application can reasonably be expected to be complete within three months.

(4) The applicant agrees that all UMTA requirements, including those for project management, will apply to any commitments under the Letter.

The Letter of No Prejudice is prepared for the Administrator's signature by the transportation representative assigned to the application. Figure VI-2 is a sample Letter of No Prejudice.

Accompanying the Letter of No Prejudice is a memorandum to the Administrator, signed by the Associate Administrator (UPO-1), recommending that the Administrator approve and sign the Letter of No Prejudice. The Office of Chief Counsel concurs in Letters of No Prejudice before they are forwarded to the Administrator. This memorandum explains the need for the Letter, how the project meets the prerequisite conditions for issuance of a Letter of No Prejudice, and any problems known or anticipated during application development, review of the application, or approval of the project. Figure VI-3 is a sample memorandum recommending the issuance of a Letter of No Prejudice.

f. Applications Status Report.

A primary method of controlling the processing and development of applications and monitoring the response of outside agency referrals is the Applications Status Report, which is part of UMTA's Management Accounting and Control System. Transportation representatives are responsible for a biweekly updating of those parts of the report containing information on their assigned applications. This is done to ensure accuracy and timeliness.

The report is issued on the fifteenth and last day of each calendar month.

g. UMTA Office of Public Affairs.

UMTA's Office of Public Affairs (UPA) is charged with the overall management of UMTA's public information program and is the point of contact with the OST Office of Public Affairs (S-80). UMTA's Office of Public Affairs will review all other public information materials proposed for submission to S-80.

Press release material must be in the Office of Public Affairs of UMTA (UPA) no less than seven working days before the desired release date. OST requires the material to be in its office (S-80) five to seven working days prior to the desired release date. OST will arrange for printing and distribution.

Magazine articles and public-use information requiring clearance must be in UMTA's Office of Public Affairs ten working days prior to the material leaving the Department. This includes a five- to seven-day minimum requirement by OST before the material is due to leave DOT or due out of the print shop.

Advance information copies of speeches requiring clearance must be submitted by UMTA's Office of Public Affairs to OST at least 72 hours prior to release or to departure of the speaker.

All motion pictures, slide presentations, and radio-television copy must be cleared by UMTA's Office of Public Affairs with OST at the script development stage.

4. PRELIMINARY APPLICATION AND REVIEW

a. Structure and Contents.

Once it has been determined that an application will be submitted, the potential applicant should prepare a preliminary application in letter form. This application should address the following:

* Name of applicant and key contact

* Description of the proposed work program addressing the need for the study and expected results, including the possibility of a capital grant request

* Project period

* Estimated cost

* Role of consultants, if any

* Relationship of the proposed study to the existing planning program

This letter should be concise. The transportation representative, Technical Studies Division, is available to discuss the contents of the submission with the applicant.

b. UMTA Determinations.

There are three basic determinations that UMTA makes before recommending that a prospective applicant develop and submit a final technical studies application. These determinations concern the eligibility of the applicant, eligibility of the project, and whether UMTA will be able to fund the project.

(1) Eligibility of Applicant--The eligibility determination is made by the Administrator upon the advice of the Office of Chief Counsel (UCC). The guidelines for eligibility are described in section 2a of this chapter. In determining an applicant's eligibility as the designated recipient agency, the criteria contained in section 2a of this chapter are to be used.

(2) Eligibility of the Project--The eligibility determination is made by the Administrator upon the advice of the Office of Chief Counsel (UCC). The guidelines for eligibility are described in section 2b of this chapter.

(3) UMTA Funding Feasibility--This determination is made by the Administrator upon the recommendation of the Associate Administrator for Program Operations (UPO-1). This recommendation takes the form of the Technical Study Program for the current fiscal year. The program plan is prepared in the Division of Technical Studies and is reviewed by the Associate Administrator for Program Operations. The Technical Studies Program is formulated by assembling all those eligible applications that it is estimated can be developed into approvable conditions during the fiscal year, and then measuring these applications against the priorities established by the Administrator. The applications of the highest priority are included first with the program being completed as the lower priority applications fill the program to its funding level for the fiscal year. This program is updated on a quarter-year basis, at the minimum.

5. FINAL APPLICATION

The Final Application contains the information and materials necessary to determine whether the project meets the statutory

and administrative requirements of UMTA. The Division of Technical Studies works with the applicant in developing the application, and insures that it is complete and has undergone the required UMTA and other agency reviews. The Technical Studies Transportation Representative has the primary responsibility for working with the applicant; the Systems Planning Branch of the Division of Technical Studies, however, assists the representative in matters concerning the technical planning elements related to the eligibility of the applicant, the project, and the application itself.

a. Structure of the Final Application.

The application consists of an original and five copies, signed by an authorized representative for the public agency, with evidence of the representative's authority to submit the application. The application includes a letter of transmittal, addressed to UMTA and also signed by an authorized representative.

The structure of a Final Application and instructions for its preparation are found in Appendix 10, "Outline for a Technical Studies Grant Application."

b. Outside Referrals.

Every application must go through two review processes performed outside UMTA; these consist of a planning recommendation from the Department of Housing and Urban Development and a clearinghouse review prescribed by the Office of Management and Budget (OMB).

(1) HUD Planning Recommendation--The appropriate area office of the Department of Housing and Urban Development reviews the status of comprehensive and transportation planning to determine if the planning requirements of the Act have been met. It submits its findings directly to UMTA.

HUD recommendations are advisory; the final determination is made by UMTA.

The Division of Technical Studies is responsible for securing and evaluating HUD planning reviews for capital grant and technical studies grant applications. Upon receipt of a capital grant or technical grant application, the Division of Program Administration, Office of Administration, will notify the appropriate members of the System Planning Branch before forwarding a copy of the application to HUD. The transportation planner will advise the Office of Administration whether the Office of Program Operations:

* Is seeking a recommendation on the adequacy of planning in the particular area. This occurs when the application is from an area where HUD has not issued a planning recommendation within the last 12 months.

* Is merely giving HUD an opportunity to comment on the project. This is the case when HUD has already issued a planning recommendation within the last 12 months. Liaison between the Office of Program Operations and HUD with respect to specific area determinations and projects will be the responsibility of the Systems Planning Branch.

(2) A-95 Clearinghouse Review--To conform with the requirements of OMB Circular No. A-95, UMTA, through a transportation representative in the Division of Technical Studies, has the following responsibilities:

* UMTA is required by A-95 to inform potential applicants to submit notification of their intent to apply for Federal assistance to their appropriate State and metropolitan clearinghouses. All applications must go through this process.

* Any comments received from this clearinghouse review must accompany the Final Application, and are utilized by the transportation representative in evaluating the application and its conformance to locally adopted plans. The Final Application cannot be considered complete until these comments, or notice that there are no comments, have been received by UMTA.

* A special case exists where an application is from a special purpose unit of government, e.g., a transit authority. If the comments indicate a similar application is coming from the general purpose unit of government within which the applicant is located, preference will be given to the application submitted by the general purpose unit. Should this occur, the Division of Technical Studies, working through the Intermodal Planning Group, will assist in resolving the situation.

* When preference cannot be accorded to the unit of general local government, the required rationale shall be cleared with the Office of the Secretary (OST), through the Assistant Secretary for Administration, before submitting the reasons to OMB and the appropriate unit of general local government.

* When any substantive action is taken on an application (approval, amendment, or the application is no longer being considered active), UMTA, through the Program Administration Division, Office of Administration, must inform the clearinghouses which were notified of the application within seven days after the action has been taken. Standard Form 240, "Notification of Grant-in-Aid Action," may be used (see OMB Circular No. A-98, "Notification to States of Grant-in-Aid Information").

c. Final Review.

The application review is performed in the Office of Program Operations. The primary reviewer is the transportation representative, Division of Technical Studies. The technical review of the planning aspects, particularly the technical adequacy of the work program and the planning process, is performed in the Systems Planning Branch, Division of Technical Studies. Comments are provided by memorandum to the transportation representative. This Branch works closely with the transportation representative throughout application development and review. In the review of the application, the transportation representative uses the form shown in Figure VI-4 to assist in determining the completeness of the application.

The legal review of the application is contained in the preliminary legal report, an internal document prepared by the Program Division of the Chief Counsel's Office (UCC-30). It advises the Office of Program Operations as to whether the application contains the necessary information to meet the legal requirements of the Act.

The application is also reviewed by the Office of Civil Rights and Service Development to determine compliance with Title VI of the Civil Rights Act of 1964. All matters concerning compliance with Federal Civil Rights requirements are handled through the Office of Civil Rights and Service Development.

d. Statutory Determinations and Requirements.

(1) Eligibility of Project and Applicant--Eligibility has been determined early in project development. Any further questions should be referred to the Program Division, Office of the Chief Counsel (UCC-30).

(2) Needs of Elderly and Handicapped--When appropriate, the technical study should consider the problems of the elderly and handicapped in the use of urban mass transportation. See subsection 2b(5) of this chapter.

(3) Civil Rights Compliance--The transportation representative must insure that each application contains a Title VI Civil Rights assurance, signed by an authorized official designated by the applicant. (See DOT Order 1050.2 of August 24, 1971, "Standard DOT Title VI Assurances" and subsection 2b(5) of this chapter.)

(4) Planning Requirements--The essential finding to be made is that the proposed project is necessary for carrying out a program for a unified or officially coordinated urban transportation system that is part of the comprehensively planned development of the urban area, and the proposed project is necessary for the sound, economic, desirable development of the area.

The Transportation Planning Branch of the Technical Studies Division prepares a planning evaluation which serves as the basis for the UMTA determination. HUD provides an advisory planning determination which is utilized by the Systems Planning Branch (see subsection 5b(1) of this chapter).

The HUD advisory finding is forwarded to the Technical Studies Division. The original goes to the project file and copies are distributed within the Division of Technical Studies to the transportation representative responsible for the project, the Transportation Planning Branch, and the program analyst.

The Transportation Planning Branch prepares a planning evaluation in coordination with the transportation representative which serves as the basis for the UMTA planning determination. This evaluation includes a section on organization, comprehensive planning, transportation planning, and transit planning and recommendations.

If the Transportation Planning Branch planning evaluation agrees with the HUD recommendation, the evaluation report will serve as the basis for the appropriate section of the project approval memorandum. If the evaluation does not concur in the HUD recommendation, the evaluation report will serve as the basis for a final determination by the Administrator.

The planning evaluation memorandum is routed from the chief transportation planner, Transportation Planning Branch to the Director, Technical Studies Division. The original is forwarded through the Division Director to the transportation representative with copies to the program analyst, the transportation representative, and the Environmental and Land Use Planning Division, HUD. The program analyst in the Division of Technical Studies maintains the official Program Operations file for planning evaluations. This file is set up by regional planning area.

If the recommendations in the planning evaluation indicate that action is to be taken by the regional planning agency, the transportation representative prepares a letter incorporating the recommendations.

The originals of the HUD advisory recommendation and the UPO planning evaluation are attached to the approval memorandum and become a part of the project file.

(5) Source and Availability of Local Matching Funds--The transportation representative must ascertain that the local share is available prior to project completion, and preferably at the time of project approval. When not currently available, the expected source must be fully described. The local share must come from non-Federal sources. Model cities funds, however, may be used as local matching funds. The local share, or any part of it, may come from nonpublic sources, including transit revenues. The local contributions must be in cash which may, however, include the direct contribution to the project of staff services.

e. Administrative Requirements and Policy Regulation.

(1) Coordination with Other DOT Elements--Coordination with the other DOT elements is effected through the implementation of Secretary Volpe's August 5, 1971 memorandum, "Trial Program for Improved Intermodal Planning in the Field." The coordination structure it describes primarily applies to the review of applications for long-range transportation planning. Coordination of other technical studies applications is tailored to the individual application by the Division of Technical Studies. In coordinating UMTA-FHWA activities, copies of all correspondence with FHWA field offices, regions, and divisions are to be sent to the Public Transportation Branch of the Urban Planning Division, Office of Highway Planning, FHWA (HP-24). This Branch has been assigned the responsibility for coordinating efforts of the Administration. This courtesy does not preclude direct contacts with Washington or field FHWA staff.

Summaries of formal applications and letters of approval are sent to the appropriate Secretarial Representative, and headquarter offices of FHWA, FAA, and FRA.

(2) Cash Disbursement Schedule--In order to maintain control over actual disbursements made against the contract authority levels, and to enable UMTA to forecast its future years' cash flow needs, the applicant must provide as part of his estimated project budget a table showing the actual disbursements of Federal funds required each year to complete the project. The Federal fiscal year of project approval is Year One of this table. Cash disbursements for Year One are broken down by fiscal quarters. The following years' cash needs may be estimated on a yearly, rather than quarterly, basis.

(3) Project Budget--Two budget formats are required. The official budget in line-item form, applicant's best estimates of the project cost including a breakdown by internal staff, other agency staff and consultants, is required. Staff services by direct cost (salary), overhead, out-of-pocket costs (travel, materials) and profit must also be spelled out. In addition, a budget indicating estimated cost by work item is required. The estimates are reviewed to determine if they are generally in accord with cost estimates for similar work and whether the estimated project costs bear reasonable relation to the size and purpose of the original project.

The eligibility of costs is to be determined by the cost standards and criteria in OMB Circular No. A-87. Even costs eligible under A-87 are not allowable project costs unless they are contained in the approved project budget.

(4) Required Support Documents for Technical Studies--An application for technical study for long-range transportation planning and preliminary engineering must be framed within a unified annual work program and a unified operations plan.

These documents serve as a frame of reference to:

* Define the total annual transportation planning program

* Define the continuing nature of the regional transportation planning program

An application for short-range planning or special studies must be framed within a unified annual work program and a unified operations plan, if a continuing transportation planning program exists which includes transit development. In general, the latter applies to the smaller metropolitan areas.

(a) Unified Work Program.--The development of a Unified Work Program is the joint responsibility of areawide

planning agencies, State DOT's or highway department, and other planning or operating agencies authorized to carry out transportation planning within metropolitan areas.

The Unified Work Program shall serve as the basis for all DOT funding participation and shall be included in all requests for DOT planning funds. As such, it should be viewed as a major step in any region toward the development or continuation of an intermodal planning program. Essentially, it is a mechanism for documenting the consolidation and coordination of all transportation and transportation-related planning activities within a metropolitan area. As such, it identifies responsibilities at various levels of government and simplifies the application and management processes for transportation planning.

A Unified Work Program should detail all transportation and transportation-related planning activities anticipated within the area during the year, regardless of funding source. The program should include all elements of the long-range transportation planning process, i.e., initial phase, continuing phase and plan refinement (project development). The program may be expanded to include comprehensive planning activities other than those that are transportation related.

Ideally the Unified Work Program should be expanded to include preliminary engineering activities, short-range program development, project planning, etc. However, at a minimum, it should contain all specific highway, transit, aviation and railway activities as well as all of the transportation support activities (i.e., land use, socioeconomic population, etc.).

The Unified Work Program should include both federally-funded programs and those that are funded entirely at the local or State level.

The individual work tasks in the program should be defined and fully described. These descriptions should indicate the objectives of the tasks, and the methodology, products, etc. If appropriate, it should indicate the intermodal nature of the task both in narrative and funding terms.

The Unified Work Program should include program funding responsibility. Certain items will be specifically related to a single transportation mode and would therefore be eligible for funding by the related modal agency under the

appropriate funding program. Other items will be of a more general nature (i.e., population data, travel demand data, etc.) and funding will occur through distribution of the total item cost among the involved programs. Appropriate proportions for distribution should be worked out cooperatively in each individual case.

The Unified Work Program should not be a compilation of existing work programs for each funding source but should describe a transportation planning process and within the process describe delineated tasks.

Outline of the Document

Following is a suggested general outline for a Unified Work Program. It is not necessarily all-inclusive, nor is it meant to be prescriptive. Rather, it suggests areas which should be addressed generally in the planning program.

I. INTRODUCTION

The Introduction should include a discussion of such items as the participating agencies in the Work Program, the time frame(s) used in the Program, the purpose of the Work Program, and generally how it was developed and tied together in some unified fashion.

II. ORGANIZATION AND MANAGEMENT

This section should discuss the institutional or organizational structures established to carry out the continuing planning program. This should include descriptions of the participating agencies including organization, staff, committees, etc. Where multiple agencies are participating in the program, letters of agreement, or similar documents indicating agency support of the program must be included. A breakdown of functional and financial responsibilities of participating agencies should be delineated.

It is desirable for an areawide agency, such as a Council of Governments, Regional Planning Commission, or

other umbrella agency to coordinate the preparation of the unified program and the implementation of activities to be undertaken, however, it is essential that other planning and implementing agencies such as State Highway Departments, transit authorities, and airport operators be an integral part of the planning process, and that their needs be reflected in the program.

This section should discuss the overall management structure for the work program; i.e., the technical, policy and decision-making processes for directing, controlling, reviewing, and acting on the work, as well as the membership. This is particularly important where more than one agency is performing the planning.

This section should describe the composition of the policy board, its specific role in both policy formulation and in the planning process, and mechanisms for decision-making on products of the planning program should be addressed. Also, it should address the citizens' participation mechanisms which have been established.

This section should include a precise description of techniques and procedures for sound management control of all tasks in the program, how they fit together in a unified context and how continuous technical monitoring and evaluation is to take place over the course of the program, needs to be incorporated in this section.

III. TECHNICAL WORK PROGRAM

This section should address the tasks specified in the Work Program together with discussion under each of the methodology to be employed, the policy issue to which the task is addressed, and the product(s) expected as a result of the work. This section also indicates the accomplishment under the last year's program.

IV. PROPOSED BUDGET

The budget section should include, as a minimum, two types of budget statements. One should follow the general matrix format shown in Figure VI-5a. This statement indicates proposed funding sources (Federal, State and local) and required matching shares, by task item. The other statement should present, by task, proposed agency(ies) staff participation and anticipated consultant services and follow the general matrix form of Figure VI-5b.

(b) Unified Operations Plan.--All UMTA planning studies should be part of a unified operations plan. This unified operations plan details tasks, organizations, and financing necessary for continuing long-range transportation planning and continuing transit operations planning. Each operations plan should include the following elements:

1. An outline of the organizational structure necessary to maintain a current long-range transportation plan and a current transit development program. Suitable arrangements shall be developed through letters of understanding, committee structures, etc., for continuing relationships among the regional comprehensive planning agency, the regional transportation planning agency, transit authorities, private companies, traffic engineering agencies, State and local agencies responsible for street and highway improvements, etc.

2. A detailed outline of the scope of the continuing planning effort with a breakdown of the functional and financial responsibilities of all participating agencies.

3. A description of the surveillance methodology to be employed to maintain land use, socioeconomic, travel demand, and transportation system data on a current basis. These data will be necessary to compare and evaluate properly the existing conditions

in relation to the long- and short-range forecasts made in developing the recommended plans and programs, and to determine if the assumptions previously made are holding over time.

4. A description of the methodology to be employed in collecting transit data and aiding the transit operators in decisions affecting appropriate changes in routes, schedules, etc.

5. A description of the reappraisal methodology to be employed to maintain the long-range transportation plan and the transit operations plan. Reappraisal is carried out at three levels of intensity; namely, routine analysis, major review, and plan re-evaluation.

After the unified operations plan has been drafted, it should be submitted to each funding agency for review before being formally adopted. This joint review will allow each agency to evaluate the total operations plan as well as the specific program with which the agency is concerned and to offer constructive comments before the program is completed. The operations plan will then be a source document for UMTA Technical Studies applications.

(5) Intergovernmental Coordination--All applications for technical studies must follow the State and metropolitan clearinghouse review procedures contained in OMB Circular No. A-95. The transportation representative ascertains that the review procedures have been followed (see "Outside Referrals," section 5b of this chapter) and that UMTA has received the comments made by these clearinghouses. These comments become part of the project file.

Comments received through this process are considered in the application review process, as they may contain suggestions for improvements to the proposed project, identify areas that will create institutional problems among planning or operating agencies, or advance criticisms of the project design or implementation of its recommendations.

(6) Consideration of RD&D Results--Transportation representatives, in their contact with applicants and others, will assure that appropriate consideration in the local decision process is given to available new technology. The transportation representative may indicate specific items that the

locality might consider in his set of circumstances. The final decision, however, rests with the applicant. In the review of an application, the transportation representative considers the extent to which the applicant has studied the use of improvements developed in the UMTA Research and Development Program and elsewhere. In appropriate instances, a project may be given an absolute priority in funding, within the limits of available funds and statutory criteria for project selection, because it has been identified as a logical next step in the implementation of a particular element in the research and development program. The following procedure will be utilized in identifying situations in which an absolute priority is appropriate:

* The Office of RD&D (URD) will advise the Office of Program Planning (UPP) and the Office of Program Operations (UPO) of those elements of the research and development program which it considers: are ready for use in revenue service, and require the kind of financial incentive provided by the Technical Study or Capital Grant Program.

* The Office of Program Planning, in consultation with the Office of Program Operations and the Office of Research, will review such advice and submit its recommendation thereon to the Administrator.

(7) Public Fallout Shelter Construction--In the planning construction of mass transportation facilities, the applicant should consider the inclusion of dual-use public fallout shelter. The applicant may obtain information concerning fallout shelter requirements, and criteria can be obtained from local civil defense directors. The additional cost of planning for dual-use purpose public fallout shelter is an eligible project cost. Specific reference to the provision of fallout shelter and an estimate of the additional cost should be included in the Final Application, when appropriate (see Executive Order No. 11490, October 8, 1969).

6. PROJECT APPROVAL

When it is determined that a proposed project meets the UMTA statutory and administrative requirements, the proposed project is recommended for the Administrator's approval by the Associate Administrator for Program Operations (UPO-1).

The Associate Administrator's recommendation is contained in the project approval memorandum. This memorandum is prepared by the transportation representative, reviewed by the transportation planner and is part of the project approval package that is submitted to the Administrator for his review.

The procedures and documents involved in the approval of a technical studies project are the same as those for a capital assistance project (described in section 6a of chapter III), except where noted below.

a. Contents of the Approval Package.

There is no Department of Labor section 13(c) clearance, as this statutory requirement does not pertain to the Technical Studies Program, and the Department of Labor Certification is not a part of the Approval Package.

The Approval Package contains the following items prepared by the transportation representative:

* Approval memorandum
* Approval letter
* Project budget (line-item format)

For those grants of over $50,000, the transportation representative must also prepare:

* Draft press release
* Grant notification form
* "For the Secretary's Information"

Other items pertinent to the project contained in the Approval Package include:

* Approval by the Office of Civil Rights and Service Development
* The latest available interest-rate determination made by the Secretary of the Treasury
* A final legal report prepared by the Office of Chief Counsel (UCC)

The last item listed, the legal report, is not needed if the approval action is an amendment which involves a minor change in the project scope, or an increase in funds for an on-going project.

(1) Approval Memorandum--This is the basic document that describes the proposed project and provides the Administrator with the information necessary to determine whether the loan meets the statutory and administrative requirements and is otherwise approvable.

The following outline provides the format for preparing the approval memorandum for a technical studies project:

* Applicant
* Summary of project budget
* Cash disbursement schedule
* Project description and evaluation
* Status of comprehensive planning and transportation planning
* Legal review
* Civil Rights review
* Recommendations

Figure VI-6 is a sample technical studies approval memorandum.

(2) Approval Letter--This letter, signed by the Administrator, informs the applicant that his application has been approved. The approval letter for a technical study grant (see Figure VI-7), generally follows the format and content of an approval letter for a capital grant. Any conditions placed upon the project approval must be clearly stated in the Approval Letter, usually at the end of the first paragraph.

(3) Project Budget--The project budget is a detailed, line-item budget which lists all the parts of the approval project. It also contains the computations of the Federal grant and the cash draw-down schedule. It should be in the same format as the project budget for a capital grant or loan (see Figure VI-8).

(4) Draft Press Release--This is required for grants of more than $50,000. The transportation representative will draft a similar release on plain paper, not less than one-half page or more than two pages in length. The underlined parts of the DOT press release (see chapter III, Figure III-12) contain the type of information the transportation representative should incorporate in his draft press release. If a specific date or project announcement time is necessary, explain

why in parentheses at the top of the press release. After the suggested press release is read, approved, and initialed by the Associate Administrator for Program Operations, the original and three copies are included in the approval package forwarded to the Administrator.

(5) Grant Notification Form--The Grant Notification Form is required for grants of more than $50,000. Figure III-12 is a copy of the form, which is to be completed with additional descriptive information needed to notify congressional interests, or to answer press inquiries. Such backup material should permit adequate evaluation of the proposed action by the Secretary.

(6) "For the Secretary's Information"--This is a brief description of the project, including the amount of the Federal grant.

b. Organization and Routing of the Approval Package.

The Approval Package is prepared and assembled in the Office of Program Operations. See Appendix 14 for the organization, processing, and routing of the Approval Package.

c. Congressional Notification and Release.

The following procedures govern congressional notification and project release, as well as clearance of other public information actions in UMTA.

The UMTA Director of Public Affairs (UPA-1) insures that all contracts and grants requiring clearance are submitted to the Secretary before release. He notifies the Secretary (Attention S-80 and TAD-60) of UMTA's intent to make any contract award of $100,000 and over, and all grant offers over $50,000, five working days in advance of the proposed award date. Complete information is provided the UMTA Office of Public Affairs seven working days prior to necessary congressional notification, by means of the draft press release and grant notification form contained in the Approval Package.

The notification form shall include adequate descriptive information to assist those required to provide public, press, or congressional information or to answer inquiries from those sources. If appropriate, indicate any special factors which should be taken into consideration in the timing of the release.

The actual date of award will be determined by the Secretary. UMTA will be notified of such date by OST or by S-70. No announcement will be made by UMTA prior to such notification.

7. EXECUTION OF GRANT CONTRACT

When the Program Division of the Office of Administration receives the release date for project notification from the Director of Public Affairs, the approval letter, accompanied by the project budget, is mailed to the applicant/grantee. The project file is sent to the Office of Chief Counsel (UCC) who prepares the grant contract. When the grant contract is prepared, the transportation representative reviews it, surnames it, and returns it to the Office of Chief Counsel. UCC then sends three copies of the unsigned grant contract to the grantee, who signs and returns them undated, along with an Opinion of Counsel to UMTA. Upon receipt, UAD-10 forwards the contracts to the Chief Counsel (UCC-1) who ascertains that the signatures are correct and the contracts are in order. The Associate Administrator for Program Operations (UPO-1) then signs the contracts, which are returned to UAD-10 for assignment of a contract number and distribution. One original copy of the executed contract is sent to the grantee. One copy goes to the Division of Financial Management (UAD-20), and one copy is incorporated into the project file. UAD-10 will also be furnished one copy, conformed, for the contracts reference book.

8. PROJECT MANAGEMENT

All project management functions are handled within the Division of Technical Studies; there is no separate Division of Project Management for Technical Studies.

In some areas, procedures for the management of technical studies projects are the same as procedures for capital assistance programs (described in chapter IV). These include:

* Review and concurrence in third-party contracts
* Changes in project budget
* Project amendments
* Project completion, audit, and closeout

Procedures unique to the Technical Studies Program are described in the following subsections.

a. Progress and Financial Reports and Reviews.

Progress and financial report review in technical studies project management is similar to that in capital assistance project management with the following changes.

(1) Timing of Reports--Quarterly progress reports should cover the calendar quarter and must be received in UMTA by January 15, April 15, July 15, and October 15. Monthly financial reports also must be submitted until the final project audit is made. Progress reports must be submitted until the final report is distributed.

(2) Quarterly Progress Reports--The progress report should consist of:

* A narrative description of the work performed during the calendar quarter and any difficulties or delays encountered. This statement should indicate clearly the division of work between project staff and third-party contractors or other project participants and should estimate the total time devoted to the study by prime staff and consultant personnel;

* A schedule of planned activities during the next quarter and any difficulties or delays anticipated;

* Three copies of each interim technical study report prepared during the quarter; and

* Summaries of monthly progress reports prepared by consultants for the project sponsor.

In addition, progress reports should indicate:

* Whether the project, as it is being carried out, conforms to the approved project scope; how it addresses the specific local problems outlined in the project application.

* Whether the project is within the approved budget. If cost overruns appear likely, what arrangements are being made either (a) to curtail the scope of the project or (b) to secure additional financing.

* Whether the project is on schedule. If project completion will be delayed, what steps are being taken either (a) to bring

the project back on schedule or (b) to adjust other events that may depend upon project completion.

* Indicate what percent of the project is complete at the end of the quarter.

To further help evaluate progress on the project, UMTA requires the submission of a bar chart showing schedule timing and actual progress on each work item.

Progress reports will be received and reviewed by the transportation representative in the Technical Studies Division and also reviewed by the transportation planner for technical adequacy.

b. Requisition Review and Approval.

This element is the same as for capital grant management, with the following additional guidelines on the submission of requisitions for technical studies projects.

* Funds may be requisitioned for the period covered by the most recent progress reports and for one month in advance.

* Requisitions should be submitted quarterly, at the same time progress and financial reports for the period are forwarded. This allows for review of all three documents simultaneously.

* Progress and financial reports must be submitted with all the required information before grant payments will be made.

c. On-site Visits.

Technical study projects usually are visited by the transportation representative and the transportation planner. These visits may be conducted individually or as a team.

On-site visits provide UMTA with an opportunity for an on-site view of the progress of the study and its conformance with the approved work program. It also allows UMTA to assess the local involvement in the study. These visits supplement information provided in the quarterly progress reports.

The transportation planner uses the on-site visits to gain a fuller understanding of the work under progress. It enables him to better advise the transportation representative on technical issues that require greater attention. He may also suggest alternatives or adjustments to the program.

d. Technical Studies Reports.

(1) Interim Reports--Interim reports prepared for internal project use need not be reviewed by UMTA, but should be forwarded along with the quarterly reports.

Interim reports prepared for public distribution must be reviewed by UMTA prior to final printing unless specifically waived by the Director, Technical Studies Division. Three copies of this report should be forwarded. The report will be reviewed by the Division of Technical Studies, transportation representative and transportation planner. This review will be coordinated with the capital grant transportation representative in the Division of Project Development, if appropriate.

The report will be reviewed for:

* Technical accuracy

* Compatibility of recommendations to problems addressed in the study

* Feasibility of recommendations

* Documentation in support of recommendations

* Utilization of data collected and subsequent analyses in development of the alternatives

* Support for any management alternatives suggested, including analyses of existing or required legislation

* Detailed technical backup (i.e., patronage, revenues, etc.) in support of system recommendations and proposed capital expenditures

* Carefully develop cost estimates (with backup data) which reflect capital needs to implement the system

* Detail descriptions on use and location of proposed new equipment (i.e., vehicles, street furniture, etc.)

* Sensitivity toward non-capital system improvements

The report must include the following statement:

> "The preparation of this report has been financed in part through a grant from the U. S. Department of Transportation, Urban Mass Transportation Administration, under the Act of 1964, as amended."

(2) Final Reports--Except where specifically waived by UMTA, a comprehensive final project report is prepared and published for each technical study project. The only automatic exception is for the continuing phase of the long-range transportation program. See subsection d(4) of this section for reporting requirement for these studies.

The final report shall explain in full detail the nature and objectives of the project, the work performed, the recommendations, and the analysis of project results.

(a) Final Report Outline.--The project sponsor is required to discuss the proposed outline of the final project report with UMTA before it is written.

(b) Draft Final Report.--To insure a coordinated review of final study reports, letters of review and comment should be submitted with the final draft report. Comments should be solicited by the project sponsor from: policy, technical, and citizen advisory committees; local and regional planning agencies; metropolitan A-95 agency; mass transportation operators; and other appropriate agencies and political jurisdictions affected by the technical study project or its recommendations. These comments should be directed toward the nature and objectives of the project, the report findings, and final recommendations.

The project sponsor is responsible for reviewing these comments and making changes in the draft report, as appropriate.

Three copies of a complete set of comments and a statement by the sponsor detailing actions taken in

response to these comments should be forwarded with three copies of the draft final report for UMTA review prior to final printing. UMTA may require that letters of comment be printed as a part of the final report.

The report will be reviewed by the Division of Technical Studies, transportation representative and transportation planner. This review will be coordinated with the capital grant transportation representative, if appropriate.

The report will be reviewed for:

* Technical accuracy
* Compatibility of recommendations to problems addressed in the study
* Feasibility of recommendations
* Detailed documentation in support of recommendations
* Utilization of data collected and subsequent analyses in development of the alternatives
* Support for any management alternatives suggested, including analyses of existing or required legislation
* Detailed technical backup (i.e., patronage, revenues, etc.) in support of system recommendations and proposed capital expenditures
* Carefully developed cost estimates (with backup data) which reflect capital needs to implement the system
* Detail descriptions on use and location of proposed new equipment (i.e., vehicles, street furniture, etc.)
* Sensitivity toward non-capital system improvements

The report must include the following statement:

"The preparation of this report has been financed in part through a grant from the U. S. Department of Transportation, Urban Mass Transportation Administration, under the Urban Mass Transportation Act of 1964, as amended."

In reviewing these comments, the Division of Technical Studies works with the project sponsor in resolving any criticisms of the project or final report and in incorporating comments into the final report.

After the Technical Studies Division has concurred in the draft final report, the project sponsor may proceed with its printing and publication.

(c) Final Report.--Twenty copies of each final technical study report are submitted to UMTA at the time of publication. The final grant payment may not be made until these copies have been received by UMTA. Federal financial assistance shall be acknowledged on the cover or title page of each such published report using the statement shown above in paragraph (b) of this subsection.

Distribution of final reports is as follows:

1 OMB (SMSA's of over 750,000)

1 UPP-31

1 HUD

1 FHWA (HP-24)

3 DOT Library

1 UMTA Library

5 NTIS

4 Division of Technical Studies for special distribution

3 Division of Technical Studies for distribution to:

-- Technical Study Representative, then to Program Analyst

-- Systems Planning Branch

The Program Administration Division, Office of Administration, distributes the final report. Surplus copies of the final report will be forwarded to the Clearinghouse of Federal Scientific and Technical Information, U. S. Department of Commerce, Springfield, Virginia 22151, so that copies may be purchased by interested parties.

(3) Evaluation Report--One year after completion of the study, the project sponsor submits a report to UMTA indicating the implementation steps that have been taken as a result of the technical study. If no substantive action to implement the study recommendations has occurred, the report documents the reasons therefor and indicates the future planned course of action. After review by the Technical Studies Division, this is made a part of the project file.

(4) Reporting Requirements for Continuing Phase of the Transportation Planning Program--

(a) Brief Summary Statement.--As part of the request for funding of the next annual work program, a summary statement must be prepared outlining accomplishments to date and proposed for the remainder of the fiscal year. This statement should be based on the work elements outlined in the approved work program and should reflect any changes in emphasis or delays. It should briefly document activities of various committees, relevant transportation agencies, and citizen participation groups.

(b) Annual Report.--Within three months from the close of the grantee's fiscal year, an annual report must be prepared. This report should be a joint effort and reflect all transportation and transportation-related activities in the region. This report should generally reflect the inputs of the various local agencies in the regional program. Accompanying this report should be a letter of review and comment from the transportation policy structure.

Actions significantly affecting the environment.

General

Any action whose environmental consequences are uncertain but potentially significant should be considered significant.

Effects of actions which ordinarily should be considered as significantly affecting the environment include, but are not limited to:

-- actions involving significant taking of land, change in the use of land (particularly if it requires a change in zoning), or major construction

-- material affect on the amount of land required to be devoted to transportation and related purposes in the future

-- significant increase or decrease of traffic or congestion levels on streets and highways

-- division or disruption of an established community; division of an existing use (e.g., cutting off residential areas from recreation areas or shopping areas), or disrupting orderly, planned development

-- a substantial aesthetic or visual effect, especially on areas of unique interest or scenic beauty

-- displacement of a substantial number of people or businesses

-- a noticeable change in the ambient noise level for a substantial number of people

-- direct or indirect contribution to substantial changes in the level, composition or distribution of air pollution

-- destruction or derogation of important recreational areas not covered by section 4(f) of the Act

-- disturbance to the ecological balance of animal or natural resources

-- involve a reasonable possibility of substantially altering or contaminating public resources, e.g., public water supply source, treatment facility or distribution system

Actions significantly affecting the environment.

-- substantial physical disruption during construction

-- any action that is likely to be controversial on environmental grounds

-- any action involving the acquisition or use of a public park, recreation area or wildlife refuge, or any land from an historic site

-- any action falling under section 106 of the Historic Preservation Act

Figure VI-1 (Page 2 of 2)

Mr. Jacob G. Kassab
Secretary of Transportation
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Re: Project No. PA-T9-11
Letter of No Prejudice

Dear Mr. Kassab:

We are aware of the impending transit crisis in Scranton and Wilkes-Barre and the urgent need for acquiring information to develop a plan to insure mass transportation service in these areas. We are anxious to see study work begin immediately.

However, we have not yet had sufficient time to fully process your application, which was submitted on August 26, 1971.

In view of the circumstances, the Pennsylvania Department of Transportation may commit local and State funds to begin work on a technical study without prejudice to inclusion of such expenditures as part of the project cost should a Federal grant be approved, provided:

1) It is understood that this authorization carries no commitment or implication that the project will be approved for Federal assistance nor that items commited will be eligible for inclusion in the project.

2) All DOT procedural and contract requirements must be met in awarding contracts including review and concurrence by the Urban Mass Transportation Administration prior to award, as required by the Procedural Guide for Project Sponsors.

Enclosed you will find a copy of our Procedural Guide and Accounting Procedures. We suggest that you become familiar

Figure VI-2--Letter of No Prejudice
(Page 1 of 2)

with them before you proceed. Please note that UMTA must review and concur in the final version of the consultant contract prior to its inclusion.

When this final contract is submitted for review, it should be accompanied by further information on the reasons for the selection of the two firms which comprise the joint venture and the names of key consultant staff who will be involved in this project, the percentage of total work time and man hours each will devote, and the cost for each person's time.

Before our review of this application can be completed and the project approved, we need clarification of the following issues:

1) What are the sources of the $37,202 the local share? Letters of commitment from Penn DOT, Lackawanna County, Scranton, and Luzerne County total $48,685. We must know specifically what portion of the $37,202 each governmental unit is contributing.

2) What is the time frame envisioned for the total immediate action program? Your introductory statement and bar chart refer to 8 months, however, Mr. Kassab's letter dated August 11 (p.63) and the cash disbursement schedule refer to 6 months.

3) What is the content of the existing Luzerne County Bus Transportation Study? When was it done?

If you need any additional information, please call Miss Marlene Klein, the transportation representative for this area, at Area Code 202, 426-2360.

Sincerely,

C. C. Villarreal
Administrator

Enclosure

Figure VI-2--Letter of No Prejudice
(Page 2 of 2)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

SUBJECT: Letter of No Prejudice
Department of Transportation,
Commonwealth of Pennsylvania (PA-T9-11)

DATE:

In reply refer to:

FROM : Associate Administrator
Office of Program Operations

TO : Administrator

Public transportation in the major cities of Lackawanna and Luzerne Counties, Pennsylvania, is on the verge of collapse. Scranton Transit has announced that service will cease on November 1, 1971. Wilkes-Barre Transit has threatened discontinuance of service in early 1972.

These cities are in urgent need of securing information to develop a plan to maintain transit service.

The Pennsylvania Department of Transportation has asked for a $74,402 technical study grant. This study would develop an Immediate Action program including manaagement options, route requirements, equipment needs, and financial program for these two cities before November 1. In addition, later work would evolve a 5-10 year transit program for the entire two county area.

Although the project appears to be clearly eligible for a grant under the Act, we have not yet had sufficient time to fully process this application which was submitted on August 26, 1971. Study results are needed as soon as possible.

Therefore, work must begin immediately. I recommend signature of the attached letter authorizing the Pennsylvania Department of Transportation to proceed in incurring costs for a technical study with "No Prejudice" to the pending application.

W. B. Hurd

APPROVED:

_____
Administrator

Date_____

Figure VI-3
Memorandum Recommending Letter of No Prejudice

TECHNICAL STUDY FOR_____

identifying data

- applicant
- authorized representative
- principal contact
- contact

opinion of counsel

resolution

commit local share

comp. and transp. planning

project description

- current transit situation
- work elements
- project manager
- advisory committees
- involvement of affected groups

project budget

- line-items (consultant, local)
- agency costs

local share-source

cash drawdown schedule

ability to carry out study

- reason for selecting consultant
- panel
- criteria
- justification

project period

civil rights assurance

CLEARANCES

legal

- preliminary
- final

civil rights

planning

- HUD
- Systems Planning Branch

A-95 State

A-95 regional

PROJECT COST

- Federal
- local
- total

_____

_____

COMMENTS:

Figure VI-4--Application Checklist

PROPOSED FUNDING SOURCES

Tasks	FHWA/SHD Fed/Local	UMTA Fed/Local	FAA Fed/Local	HUD Fed/Local	Other (Fed., St. or local)	TOTALS
1.0	$	$		$		$
2.0			$		$	$
3.0	$			$		$
4.0	$	$	$	$		$
TOTALS	$	$	$	$	$	$

Figure VI-5a

AGENCY PARTICIPATION

Tasks	COG	Transp. Authority	State	Consultant	TOTALS
1.0	$	$	$	$	$
2.0			$	$	$
3.0		$			$
4.0	$		$		$
TOTALS	$	$	$	$	$

Figure VI-5b

Note-- This general presentation does not specifically break out the local matching share. The UMTA portion, therefore, would be only two thirds of the transit component, and the FHWA share would be that portion of the highway component appropriate to the specific matching ratio.

Figure VI-5a--Proposed Funding Sources
5b--Agency Participation

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: APPROVAL: Urban Mass Transportation Grant for Technical Study Project No. TEX-T9-13

FROM : Associate Administrator
Office of Program Operations

TO : Administrator

1. Applicant - Transit Board of Trustees of San Antonio, San Antonio, Texas

2. Summary of Project Budget - The applicant has requested a two-thirds Federal grant in the maximum amount of $101,500. The local share will come from services provided by the San Antonio Transit System, Alamo Area Council of Governments, City of San Antonio, and other cities in Bexer County (Alamo Heights, Terrell Hills, Olmos Park, Castle Hills, and Balcones Heights).

Federal Grant	$101,500
Local Contribution	50,750
Total Project Cost	$152,250

3. Cash Disbursement Schedule

FY 1971	4th Quarter	$ 26,500
FY 1972		75,000
	Total	$101,500

4. Project Description and Evaluation - The San Antonio Transit System is the recent recipient of a capital improvement grant from UMTA. The grant was for over $4.1 million to be applied to the construction of a new administrative office building, 60 bus shelters and the purchase of 157 new buses, all over a period of five years.

The system has subsequently applied for a technical study grant. The Transit System and the Alamo Area Council of Governments (AACOG) have entered into an agreement regarding the conduct of the needed short-range and long-range urban transit studies for the San Antonio urban area. The System will conduct this short-range study which will produce recommendations for a five-year period.

Figure VI-6--Technical Studies
Approval Memorandum
(Page 1 of 3)

AACOG will concern itself, as the designated areawide planning agency, with the long-range study; it will be applying for a grant shortly. These two studies will be coordinated by the two agencies. The consultant, Wilbur Smith and Associates, conducting the initial short-range study will also serve as the consultant for the long-range study if possible.

On May 5, 1971 a Letter of No Prejudice was sent to the San Antonio Transit System. In view of the need to begin the origin and destination survey prior to the expiration of the current academic term in San Antonio, we advised the system it could commit local funds on this portion of the study only, without prejudice to inclusion of such expenditures as part of the project cost should this grant be approved. We further concurred in the consultant contract only for those portions relating to the origin and destination survey.

The proposed study will disclose the cost, location, potential service improvements and the effects of specific local mass transit plans. The study is expected to provide the full technical foundation for community decisions on short-range improvements in urban mass transit. A further goal of the study will be to provide basic information for the Long-Range Urban Transit Study that AACOG will be conducting.

Mr. T. M. Fuller, Executive Assistant, San Antonio Transit System, will be the local project director for the short-range technical study.

As outlined in the Memorandum of Agreement between the Transit System and AACOG, there will be a Policy Review Committee appointed by AACOG and made up of local elected officials that will furnish official opinions on proposals, alternatives, and other matters submitted by the consultant so that there will be support for decisions and recommendations presented in the study.

The Technical Review Committee will be appointed by the Transit System and made up of staff members of local agencies concerned with urban mass transit, such as the City Traffic and Transportation Department, AACOG, the City Planning Department, the Transit System, the Highway Department and others.

The Transit System will have the responsibility of coordinating the services furnished by local governmental agencies

and the technical aspects of the study. AACOG will be responsible for coordinating the results of the study with the regional transportation plan.

This project is part of a program for a unified and officially coordinated urban transportation system within the comprehensively planned development of the urban area.

5. Status of Comprehensive Planning and Transportation Planning - This technical study is included in a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area.

   The attached memorandum from the Division of Technical Studies which is based in part on the comments of the Environmental and Land Use Planning Division, HUD, finds that the planning requirements of the Technical Study Program are satisfied in connection with this project.

6. Legal Review - The attached legal report establishes the legal eligibility of the project and the applicant.

7. Civil Rights Review - The attached memorandum from the Office of Civil Rights and Service Development establishes that the requirements of Title VI of the Civil Rights Act of 1964 have been met.

8. Recommendation - I recommend approval of this project for a grant in the maximum amount of $101,500 which represents two-thirds of the eligible project. Funds in the amount of $101,500 have been reserved for this project under the contract authority provisions of the 1970 Amendments to the Urban Mass Transportation Act of 1964.

W. B. Hurd

Attachments

APPROVED: _____
Administrator

_____
Date

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20591

OFFICE OF
THE ADMINISTRATOR

Mr. Thomas M. Fuller
Executive Assistant
San Antonio Transit System
Tower Life Building, Room 456
San Antonio, Texas 78205

Re: Grant Approval
Project No. TEX-T9-13

Dear Mr. Fuller:

I am pleased to advise you that the application of the San Antonio Transit Board of Trustees for a technical study under the Urban Mass Transportation Act of 1964, as amended, has been approved in the maximum amount of $101,500. The study will produce a short-range transit development program, including recommendation for capital and operational improvements.

The study, in refining and building upon earlier transportation planning in the San Antonio urban area, is an integral part of the continuing planning process in the metropolitan area. It will further serve as the foundation of an upcoming long-range transit study.

Two copies of the approved budget are attached. We concur in the agreement between the San Antonio Transit System and Wilbur Smith and Associates, Inc., in the maximum amount of $101,500 payment to the consultant for the purposes outlined in the agreement.

A grant contract will be forwarded to you soon. To assist you in administering the project, we are enclosing two copies of our Procedural Guide for Project Sponsors and the Accounting Procedures. Please familiarize yourself with the financial, contracting and reporting procedures of the

Figure VI-7--Approval Letter for
Technical Studies Grant
(Page 1 of 2)

technical study program before beginning work on the project. If you have any questions on these important materials, please call Mrs. Debbie Parker at Area Code 202, 426-2360.

We look forward to working with you on this worthwhile project. The submission of quarterly reports summarizing consultant and staff progress on the study, and indicating steps taken to implement various study recommendations, will help us keep apprised of your work.

Sincerely,

C. C. Villarreal
Administrator

Enclosures

Figure VI-7 (Page 2 of 2)

Project No. TEX-T9-13
San Antonio Transit Board of Trustees
San Antonio, Texas

APPROVED PROJECT BUDGET

Staff Salaries and Overhead	$ 40,750
Consultant	101,500
Out-of-Pocket Costs	
Travel	4,000
Materials	5,000
Other	1,000
Total Project Cost	$152,250

APPROVED PROJECT FINANCING

Federal Grant	$101,500
Local Share	50,750
Total Project Cost	$152,250

CASH DISBURSEMENT SCHEDULE

FY 1971	4th Quarter	$ 26,500
FY 1972		75,000
		$101,500

Figure VI-8--Approved Project Budget

Chapter VII
Research, Development, and Demonstration Program
(Project Development)

		Page
1.	General	VII-1
	a. Program Authority	VII-1
	b. Program Responsibility	VII-2
	c. Program Objectives	VII-3
	(1) Impact on UMTA Capital Assistance Program	VII-4
	(2) Impact on UMTA Technical Studies Program	VII-4
	d. Definitions of RD&D	VII-4
	(1) Research Projects	VII-4
	(2) Development Projects	VII-4
	(3) Demonstration Projects	VII-4
2.	Program Structure	VII-5
	a. Bus Transit	VII-5
	(1) Bus Technology	VII-6
	(2) Bus Traffic Systems Innovations	VII-6
	(3) Transit Operations and Management Systems	VII-6
	b. Rail Transit	VII-6
	(1) Rapid Rail Vehicles and Systems	VII-6
	(2) Commuter Rail Vehicles and Systems	VII-6
	(3) Light Rail Vehicles and Systems	VII-6
	(4) Rail Supporting Technology	VII-7
	c. New Systems	VII-7
	(1) New Systems Demonstrations	VII-7
	(2) Advanced Transit Planning Methods	VII-7
	(3) New Systems Development Engineering	VII-7
	(4) Demand-responsive Transit Systems	VII-7
	d. Systems Analysis	VII-8
	e. Planning Research	VII-8
	f. Service Development	VII-8
3.	Program Management	VII-8
	a. Program and Funding Plans	VII-8
	(1) The RD&D Program Plan	VII-9
	(2) RD&D Funding Plan	VII-9
	(3) Revisions to the Program and Funding Plans	VII-10
	b. Reports to the Secretary	VII-10
	c. Project Plans	VII-11
	d. Project Funding Considerations	VII-12
	e. Technical Management Support	VII-14

4. Eligibility for Project Funding..... VII-15
a. Participants..... VII-15
b. Facilities, Equipment, Techniques, and Methods..... VII-15
c. Special Needs of the Elderly and Handicapped..... VII-15
d. Trade and Other Associations--Eligibility Guidelines..... VII-16
e. Disaster Relief Act--Waiver Policy..... VII-18
5. Initial Proposals--Preliminary Consideration..... VII-18
a. Submittal of Initial Proposals..... VII-18
b. OMB Pilot Projects for Integrated Grant Administration Program..... VII-19
c. Guidelines for Submission..... VII-19
(1) Title Page..... VII-19
(2) Summary Section or Abstract..... VII-20
(3) Scope and Schedule of the Work..... VII-20
(4) Proprietary Rights..... VII-20
(5) Approach to Analysis of the Research Need or Problem..... VII-21
(6) Proposing Organization's Capability and Responsibility..... VII-21
(7) Cost Breakdown..... VII-21
(8) Type of Assistance Proposed..... VII-22
d. Guidelines for Evaluating Proposed Projects..... VII-22
e. Processing Procedure for Proposals..... VII-22
f. Assigning Project Identity Numbers..... VII-26
6. Formal (Final) Proposal for Grant Contract..... VII-27
a. General Description of Project and Project Area..... VII-27
b. Work Program..... VII-28
c. Data Collection, Analysis, and Reporting--Experimental Design..... VII-29
d. Project Budget..... VII-29
e. Labor Requirements and Impact..... VII-31
f. Environmental Impact and Displacement of Persons..... VII-31
g. Technical, Financial, and Legal Documentation..... VII-31
7. Preapproval Analysis and Determinations..... VII-33
a. Experimental Design Analysis..... VII-33
b. Technical and Legal Analysis..... VII-34
c. Guidelines for Determining Allowable Costs..... VII-34
(1) Allowable Costs..... VII-35
(2) Unallowable Costs..... VII-35

d. Nonexpendable and Expendable Property..... VII-37
(1) Expendable Personal Property..... VII-37
(2) Nonexpendable Real Property..... VII-37
(3) Nonexpendable Personal Property..... VII-37
e. Cost Sharing..... VII-38
(1) General Guidelines for Determination of Cost Sharing..... VII-38
(2) Amount of Cost Sharing..... VII-39
(3) Method of Cost Sharing..... VII-40
(4) Maintaining Records..... VII-41
f. Employee Protection--Labor Determination..... VII-41
g. Environmental Impact and OMB Circular No. A-95--State, Regional, and Local Planning Review..... VII-41
(1) Environmental Impact..... VII-41
(2) OMB Circular No. A-95--Planning Agency Review..... VII-43
h. Relocation Assistance and Land Acquisition Requirements..... VII-43
8. Processing for Approval..... VII-43
a. Responsibility and Readiness..... VII-43
b. Approval for Acquisition of Major Systems..... VII-44
c. Contents of the Approval Package..... VII-45
(1) For Grant Contracts..... VII-45
(2) Procurement Contracts..... VII-47
d. Administrator's Briefing..... VII-48
e. Routing Approval Package..... VII-48
f. Holding for Approval Release Date..... VII-49
g. Public Announcement of Award..... VII-50
h. Completing the Grant Contract..... VII-51
i. Amending the Grant Contract..... VII-52
(1) Amendments to Cover Cost Overruns..... VII-52
(2) Amendments to Increase the Scope of the Project Described in the Original Contract..... VII-52
(3) Amendments to Effect Minor Changes in the Scope of a Project..... VII-52
9. Procurement Contracting..... VII-53
a. General..... VII-53
b. Methods of Procurement..... VII-54
c. Negotiation Process..... VII-54
(1) General..... VII-54
(2) Source Selection..... VII-55
d. Price Analyses..... VII-57
e. Disclosure of Information Before Award.... VII-58
f. Review of Proposed Contract Awards..... VII-58
g. Information to Unsuccessful Bidders..... VII-59
h. Types of Contracts..... VII-59

i. Small Business--Minority Contractors (8A Program)..... VII-59
j. Sole-Source Procurement..... VII-60
k. Procurements of $2,500 or Less..... VII-60
l. Selection of Experts and Consultants, or Educational Institutions..... VII-61
m. Contract Information System..... VII-62
n. Unsolicited Contract Proposals..... VII-62
10. Patents and Copyrights..... VII-63

List of Figures

Figure No.	Title
VII-1	RD&D Reports to the Secretary
VII-2	Proposed Summary Sheet
VII-3	Proposal for RD&D Grant
VII-4	RD&D Project Budget--Grant Contract
VII-5	Budget Schedule A--Administrative Expenses
VII-6	Budget Schedule B--Source of Funds
VII-7	Sample Resolution and Certification
VII-8	Sample Approval Memorandum
VII-9	Letter of Notification
VII-10	Procurement Request
VII-11	Award of Contract or Grant (Grant Notification Form)

CHAPTER VII

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM PROJECT DEVELOPMENT

1. GENERAL

a. Program Authority.

Under section 6 of the Urban Mass Transportation Act of 1964, as amended, research, development, and demonstration projects may be undertaken in all phases of urban mass transportation (including the development, testing, and demonstration of new facilities, equipment, techniques, and methods) which are determined will assist in the reduction of urban transportation needs, the improvement of mass transportation service, and the contribution of such service toward meeting total urban transportation needs at minimum cost.

Within the broad expression of statutory authority, RD&D projects may involve a variety of studies and experiments. They may be for undertakings to improve the state of the art in hardware components, equipment, facilities and systems--such as the search for nonpolluting bus engines, improved bus and rail car design for urban transit, advanced systems for command and control, and innovative "people mover" systems. They may be for "software" studies--typically to improve efficiency of operations and management. Or they may be projects to improve mass transportation services for the transportation disadvantaged, by better planning and utilization of existing services, by upgrading services, or by creating new services for areas which need them.

RD&D projects may be undertaken independently (in-house), by working agreement with another Federal agency, by procurement contract, or by grant contract, as the Administrator deems most advisable.

Projects undertaken by procurement contract are subject to the Federal Procurement Regulations, whereas grant contracts and interagency agreements are not.

There are no restrictions on participants in the program, so that governmental bodies, universities, nonprofit organizations, private corporations, and individuals may be approved as eligible contractors and grantees. As a matter

of administrative policy, however, grants have so far been made only to public bodies, universities, and other non-profit organizations.

Although it is not a mandatory requirement, cost sharing is usually required in grant contracts.

Projects may include acquisition or construction of long-term capital improvements. In practice, the terms of the contract usually require that there be pro rata recovery of the Federal contribution upon completion of the project. The exception to this is with educational institutions, where UMTA follows the guidelines of OMB Circular No. A-101, which specifies that title to property used in RD&D will usually be vested in the institution.

b. Program Responsibility.

The Office of Research, Development, and Demonstration (URD) has primary responsibility for initiating, planning, developing, and carrying out the RD&D program under section 6 of the Act, subject to subsidiary delegation of authority to other offices with respect to undertaking certain types of projects.

The Office of Civil Rights and Service Development (UCR) has been delegated responsibility by the Administrator to develop and administer service development projects. Most of these projects consist of demonstrations of improved transportation services for transportation-disadvantaged groups, including the following:

* The aged
* The handicapped
* The inner-city poor
* The unemployed

The Office of Program Planning (UPP) has also been delegated section 6 authority, to undertake research and studies that are needed to enhance UMTA's capabilities for planning and program evaluation. In addition, the Office of the Morgantown Project (UMP) is responsible for a single large-scale personal rapid transit project, under construction at Morgantown, and financed with section 6 funds.

The section 6 program responsibility is also shared with HUD, from which the program was originally transferred by the President's Reorganization Plan No. 2 of 1968. By the terms of the transfer, HUD retained certain residual authority to fund projects under section 6, where such projects are concerned with "the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning...." An agreement between HUD and DOT dated September 1, 1970, governs the procedures by which the two departments cooperate in the section 6 program (as well as on section 9 and 11 projects, for which HUD also retained some authority when the program was transferred). (See Appendix 2 for text of the Reorganization Plan and Appendix 9 for the Agreement.)

c. Program Objectives.

The RD&D program of UMTA seeks to identify, develop, and demonstrate means to improve transportation service in urban areas in such a way as to enhance the quality of urban life. It is concerned with specific conditions of the urban environment, such as:

* The increasing restraints on personal mobility in urban areas

* The role of transportation systems in urban growth patterns and in shaping urban land use

* The quality of urban transportation in terms of safety, convenience, and comfort of ride

* The accessibility of points within the urban area to transportation-deprived groups

* The impact of urban transportation systems on the quality of the environment

* The economic and institutional restraints on urban transportation systems

The RD&D objectives that derive from the foregoing considerations are as follows:

* To improve the condition of passenger mobility and convenience, with improved service, transit availability, travel time, comfort, and safety

* To improve the condition of the transit operator with increased patronage and improved operating economies, achieved by improved vehicles, engines, and operating and maintenance techniques.

* To improve the environmental impact of transit upon the community by reducing congestion, air pollution, and urban disruption.

* To improve the condition of the transit vehicle manufacturing capital investment market by stimulating increased vehicle demand with new design equipment.

(1) Impact on UMTA Capital Assistance Program--The impact of the RD&D program on the UMTA Capital Assistance Program will be accomplished through provision of improved transit vehicles, terminals, and other tested transit facilities suitable for capital investment support.

(2) Impact on UMTA Technical Studies Program--The impact of the RD&D program on the Technical Studies Program will be accomplished by providing improved transit system planning software.

d. Definitions of RD&D.

DOT Notice 4200.4, "Approval of Acquisition of Major Systems," generally defines a system life cycle in the following phases: research, exploratory development, advanced development, prototype development, preliminary operational deployment or demonstration, and operational phase. The presentation which follows provides a brief definition of the terms commonly used to refer to the UMTA RD&D operations.

(1) Research Projects--These are usually concerned with investigations of potential improvements possible through new or improved hardware (components, subsystems, systems) or software (transit planning techniques, transit management systems) or service innovations, which have little or no previous history of utilization in the mass transportation industry.

(2) Development Projects--These are commonly modifications or improvements to proven hardware or software technology with application in urban mass transportation.

(3) Demonstration Projects--These constitute the final stage in the RD&D process, prior to large-scale transit

system implementation. It is in the demonstration stage that the technical and procedural innovations in urban mass transportation are subjected to limited public operation, both for the purpose of measuring public response and for encouraging public adoption. The main purpose of an RD&D demonstration is to develop information for national application at other candidate sites. A primary intent is to demonstrate economic and technical feasibility and thereby to provide a factual basis for decisions regarding subsequent capital investment.

2. PROGRAM STRUCTURE

The RD&D program for urban mass transportation is a goal-oriented program. It reflects a recognition of the need for Federal initiative in undertaking projects that have primarily national relevance instead of local application. Its driving goal is to deliver a spectrum of alternatives to the urban areas of the Nation, each of which is a candidate for local selection to solve local problems. It is anticipated that implementation locally may require the Federal financial assistance provided for in UMTA's Capital Assistance Program.

The program has been designed so that projects may be developed and managed as integral components of a major modal area of activity. Major activity areas are grouped under three basic modes of urban mass transportation--bus systems, rail systems, and new systems. The program is intended to be dynamic, and may be modified from time to time as conditions require. The program described below reflects the structure current as of the date of this issue.

a. Bus Transit.

UMTA seeks to revitalize urban bus transit systems by developing and demonstrating modern equipment and management methods and assessing their impact on rider and operating efficiency. Innovations will be developed and tested in bus design, bus traffic flow, and the management of bus system operations. These efforts will serve the rider by providing better quality and coverage of bus transit service; the bus system operator by demonstrating methods of using manpower and equipment more efficiently and effectively; the bus equipment manufacturer by providing prototype designs and specifications on an accelerated schedule; and the urban community by reducing noise and pollution from bus operations (as well as the air pollution and congestion reduction resulting from diversion of auto drivers to bus transit), improving the appearance of vehicles and facilities, and increasing the capacity of existing streets to move passengers

during peak commuting periods. Bus systems projects are grouped under the following activity areas:

(1) Bus Technology--Projects probe improvements in bus vehicle technology including propulsion systems, other component hardware, overall vehicle design, and prototype developments.

(2) Bus Traffic Systems Innovations--Projects to develop and demonstrate ways to increase the volume of people moved over existing streets and highways.

(3) Transit Operations and Management Systems--A comprehensive program to develop, test, and demonstrate modernized operating procedures and management methods that can be widely adopted by the transit industry.

b. Rail Transit.

The primary objective of the rail RD&D program is to enhance the attractiveness of rail transportation to the urban traveler by providing existing and proposed systems with service that is as comfortable, reliable, safe, and economical as possible. The scope of this program includes rapid rail, commuter rail, light rail, and associated supporting technology.

The program emphasizes design, development, and demonstration of the best rail cars that current technology can produce and, ultimately, advanced concept trains. Specifications for these new cars will be made available to the cities for use in acquiring new or replacement rolling stock. The rider will benefit from comfortable cars with improved ride quality. Rail system operators will benefit from lower operating and maintenance costs. Urban communities will benefit from reduced environmental intrusion and pollution and quiet, attractive rail systems. Rail systems projects are grouped under the following activity areas:

(1) Rapid Rail Vehicles and Systems--This program concentrates on the evolutionary development of "next generation" rapid transit cars.

(2) Commuter Rail Vehicles and Systems--Projects to improve rail commuter operations.

(3) Light Rail Vehicles and Systems--Projects for the modernization or replacement of the 1935-design PCC car.

(4) Rail Supporting Technology--Activities under this program are centered at the DOT Transportation Systems Center (TSC), Cambridge, Mass., with major facilities located at the DOT High Speed Ground Test Center near Pueblo, Colorado. This center will facilitate testing of all types of track-guided vehicles under precise, controlled conditions. UMTA and the Federal Railroad Administration are cooperating in the construction of test facilities.

c. New Systems.

Under this category, UMTA pursues research, development, and demonstration of entirely new modes of urban transportation, ranging from personal rapid transit--designed to provide demand-responsive service (specific origins to specific destinations along the system network) for small groups of passengers--to mass-line-haul systems, such as the urban tracked-air-cushion vehicle (UTACV), designed for high-speed movement along fixed routes in heavily traveled corridors. New Systems projects are grouped under the following activity areas:

(1) New Systems Demonstrations--UMTA will undertake demonstrations of advanced new systems of urban mass transportation service (e.g., personal rapid transit; dual mode; UTACV).

(2) Advanced Transit Planning Methods--UMTA will develop and demonstrate new computer-based tools that will dramatically improve urban transportation planning and permit systematic evaluation of multimodal transportation alternatives. They will facilitate estimation of transit requirements, costs, and community impacts; and will also assist in the analysis of the interface and interaction of various modes of urban transportation. Once the new tools have been tested and demonstrated, they will be made available to assist local planning agencies in finding solutions to their transportation problems.

(3) New Systems Development Engineering--Projects to support advanced component and systems development related to personal rapid transit and other new systems to the point of predemonstration evaluation. The DOT Transportation Systems Center (TSC) is UMTA's technical resource center for new systems development engineering. TSC will evaluate advanced hardware elements of systems as well as promising system concepts.

(4) Demand-Responsive Transit Systems--Projects for testing systems providing door-to-door public transit service in response to customer telephoned requests.

d. Systems Analysis.

This funded activity pertains largely to research and study activities in support of the major modal programs. It includes the following:

* Analytical studies pertaining to evaluation of RD&D program needs, structure, content, and funding

* Experimental designs to set specific project objectives, develop a statistical and analysis framework, identify measurements, monitor data collection, and analyze results so that information is transferable to other urban areas

* Assessment of potentials for intermodal integration demonstration programs

e. Planning Research.

This includes a miscellany of special studies related to program planning and evaluation, including:

* Special policy studies, such as a review and evaluation of local transit regulations and regulatory agencies

* Research on planning methods and techniques, such as ways to organize a continuing transportation planning process at the local level

* Techniques for systematic program evaluation, as in analyses of the effects of urban transportation investment, deriving data from before-and-after studies

f. Service Development.

This activity pertains to projects to develop and demonstrate new methods of planning, implementing, and managing services that affect users of public transportation facilities, especially the poor, unemployed, young, elderly, and handicapped.

3. PROGRAM MANAGEMENT

a. Program and Funding Plans.

The RD&D program plan and the RD&D funding plan are two interdependent operation plans developed in URD as the

basic resource documents for UMTA's program management system. They are prepared by URD-1 and submitted for review and concurrence by the Administrator. The formulation and structure of the program and funding plans have been considered earlier in this Handbook, primarily in terms of UMTA's and DOT's annual planning and budget cycle. While they thus serve as planning tools and inputs for the budgeting process, they also serve as operating tools that effectively delineate current and planned operations. They help URD-1 to maintain control of the program and its activities and are also useful for the briefing needs of the Administrator, OST staff, OMB, Congressional staffs, and others requiring information on the current program and status.

(1) The RD&D Program Plan--This plan is the current fiscal year compendium of all active projects and of those in various stages of development that are identified for funding within the year. The program plan carries a summary background and data sheet for every ongoing project from inception to planned completion, with a current-status block updated not less often than quarterly to show progress to date. This is the same format used in UMTA's monthly report to the Secretary on RD&D projects described in subparagraph 3b to follow. The program plan also contains similar data sheets, to the extent information is available, on every new project proposed to be funded during the year.

Both types of individual project data sheets are prepared and updated by the assigned project managers. From the basic documentation thus furnished, the URD-1 staff prepares a composite summary for the project activities, active and proposed, under each major program activity area (as described in section 2, "Program Structure" of this chapter). From time to time, as when UMTA is preparing for the OMB Spring Preview, URD-1 and the Program Division Directors jointly review and evaluate the status and prospects of all ongoing projects, to determine their future in the program, on the basis of project results to date; and URD-1 then realigns the funding priorities to be expressed in the RD&D funding plan.

(2) RD&D Funding Plan--The RD&D funding plan is developed by the URD-1 staff simultaneously with the program plan, from which it derives its figures. The funding plan presents the current year's funding allocation for every ongoing and planned project, the funds already approved and obligated to date, and the balance remaining to be approved through the fiscal year. The total of all project funding reflects the official allotment of RD&D program funds by the Administrator. The funding plan also provides figures for

each project on prior-year commitments and estimated funding levels for the next year. Every project is listed with an identity number and two-line descriptive caption; these identity tags remain with the projects throughout. To show the funding status in brief, the funding plan also contains a summary data sheet giving the same types of information as the detail sheets. All data for the funding plan is fed into and stored by the central DOT computer system, and print-outs are obtained for monthly reports (or more often, if needed) to the URD operating staff, the Administrator, and other key UMTA staff, as well as to designated officials of OST who have need for the report.

(3) Revisions to the Program and Funding Plans--Revisions may be necessary from time to time, as the result of:

* A revised project schedule or cost estimate

* A new project of higher priority or potential impact

* Deletion of funding for a planned project which is being dropped as infeasible or for some other reason

Depending on the cause for revision, a recommendation would be made to URD-1 to revise the program plan or the funding plan, or both. If a major modification of either plan is involved, URD-1 will obtain the Administrator's concurrence. This applies particularly to revisions that would substantially increase the total RD&D funding required.

b. Reports to the Secretary.

The Secretary is kept currently informed of RD&D program status by means of regular progress reports on active projects--monthly for projects of major size or of wide public interest, and quarterly for others. This report is in the form of individual project sheets, giving background information and basic project data, with a block for a brief narrative of current progress. The format used is the same as the project sheets prepared by each project manager for the program plan; in fact, the same sheets may be used for both purposes. See Figure VII-1 for a sample form of report to the Secretary and instructions for its preparation.

At the time each project report is updated, project managers also attach a report, for URD use only, on any

problems in the project, their significance, and actions required to take care of them.

c. Project Plans.

Project plans provide the documentation to support and justify the funding of new projects. A project plan should be prepared by the assigned project manager for each new project to be recommended for approval by the Administrator and may be used as documentation when the project approval package is assembled. The following materials and information should be included in a project plan as a minimum:

* A statement of work, which spells out the project objectives and details the tasks to be performed.

* A statement describing the project's potential impact on such aspects as state-of-the-art, transit system operations, needs of the transportation disadvantaged, safety, etc.

* The project's relationship to previous and current efforts in UMTA RD&D and other RD&D efforts.

* The potential for eventual funding under the UMTA capital assistance program.

* Time schedule for the project, showing:

  -- Project stages, which would allow for UMTA termination of funding if results do not warrant continuation.

  -- Key milestone points to determine technical accomplishment or progress, as decision points for UMTA evaluation of continued support.

* Funding level and budget, with schedule of commitment by project stage and fiscal year. If any single stage spans more than one fiscal year, UMTA policy is to fund fully at the start; no split funding unless the Administrator approves.

* Project organization and management plans, indicating whether the project is suitable for any of the following, singly or in combination:

  -- In-house

  -- Transportation Systems Center

  -- Other DOT constituent

  -- Other Federal agency

  -- Other public agency

  -- Outside contractor

d. Project Funding Considerations.

There is no restriction in the Act on the method by which RD&D project work may be funded. The usual methods, so far, have been the following:

* Grant contracts with public bodies, public and private universities, and occasionally with private nonprofit organizations

* Interagency transfer of funds to other DOT components (FHWA, FRA, TEU, TST) and to other Federal departments and agencies (HUD, HEW) for financial participation in projects of mutual interest

* Transfer of funds to the DOT Transportation Systems Center (TSC) for technical project work undertaken for the UMTA program under a General Working Agreement

* Award of procurement contracts in accordance with the Federal Procurement Regulations

The award of grant contracts is, essentially, a two-step process--involving the Administrator's approval of the project and the amount of the grant, deemed necessary to accomplish it, followed by the execution of a grant contract which becomes the basic document describing the mutual obligations of the Government and the grantee with respect to the project. Similarly, the transfer of funds involves only the Administrator's approval and the execution of an interagency working agreement. These methods of funding

are relatively uncomplicated; and the project work can begin, with assurance of funding, as soon as the grantee or other agency is notified of the approval.

The contract procurement process is more complex, since it is circumscribed by an extensive body of Federal contract law, the Federal Procurement Regulations, decisions of the Comptroller General, and numerous court decisions. The purpose of these is to assure that the basic principle of fair and open competition for Government contract work is maintained. As UMTA's RD&D program has moved more and more to emphasis on new and improved technology and systems, it has tended to look more to private industry sources for its project work and to greater use of the contract funding method.

Because of its complexity, the Federal procurement contract process requires the use of Federal contract specialists. Since UMTA does not yet have its own staff for the full procurement function, it has temporarily arranged to utilize the services of the DOT contract procurement staff in the OST Procurement Operations Division (TAD-43). Accordingly, when the Administrator approves funds for a procurement contract project, a Procurement Request then goes to TAD-43 as authority to begin the procurement process in accordance with established requirements, which will lead in time to a contract award.

Whether a project is to be funded by grant or procurement contract is generally a matter of determination on a case-by-case basis, observing certain general criteria and constraints.

The general criteria involve consideration of the needs to be met, the risks, and the general circumstances in each project situation--such as, nature of the benefit expected from the project, nature and degree of benefit to a non-Federal participant, availability of needed technical and managerial capability, and availability of other Federal or non-Federal funds.

The constraints pertain first to the UMTA policy that grant contracts should be limited almost exclusively to public and certain nonprofit bodies (such as universities), usually with a requirement for cost sharing. Any departure from this policy should be justified on the grounds of public interest or national policy. (See also section 4 of this chapter for general reference to eligibility for participation in the program.)

The decision on the method of funding is also constrained by the strong Federal policy and precedent favoring open competition for Federal RD&D funds. This consideration must include recognition of the noncompetitive position of a number of not-for-profit technical research organizations which may have unique capabilities for the UMTA RD&D program.

The brief examples suggest the variety of conditions which may be involved in determining the method of funding:

(1) If UMTA is initiating a project for research and development work, exercises complete control with respect to its objectives and design, assumes the entire risk, and is the prime beneficiary--in the sense that no special advantage or benefit is derived by a non-Federal participating or cooperating entity-- this, in effect, becomes a matter of purchasing the services of the best available technical organization or facility, and a procurement contract would appear to be the appropriate funding method.

(2) If the project requires the use of a special site, as for a demonstration--and the participating entity is to be a local public body capable and willing to perform the project even though little or no local benefit will accrue--then a grant contract, even up to 100 percent, might well be the most suitable and expeditious method of funding.

In these or other circumstances, if a special benefit is to accrue to the participating entity, outweighing any assumed burden or risk, then cost sharing should be required in proportion to the degree of benefit to be derived. (See subsection 7e of this chapter for guidelines on cost sharing.)

e. Technical Management Support.

To strengthen the technical management and control of project operations, UMTA has adapted the systems management approach that has been used effectively in the RD&D program for aerospace and defense. Technical management support is being given to project managers in the technical coordination and integration of large-scale, well-defined but technically complex projects. For such support, organizations having the capability of providing a multidisciplinary team of technical experts are used by the project manager for continuous technical control and monitoring and for in-depth analysis and assessment of alternatives at critical points in project development requiring tradeoff decisions and selections of promising directions for further efforts.

UMTA uses such technical management support in its rail, bus, and new systems RD&D, obtaining it in various ways--from available in-house capabilities; from other DOT resources, such as the Transportation Systems Center; and from outside resources, by contract with not-for-profit technical research organizations, or with the systems management division of private industrial organizations.

4. ELIGIBILITY FOR PROJECT FUNDING

a. Participants.

There is no eligibility provision in the RD&D program that would deny participation to any specified type of public or private body, or to an individual. Acceptability for participation is determined on the basis of an applicant's potential for contributing to the program's goals and legal capability of the applicant to enter into a grant or procurement contract.

b. Facilities, Equipment, Techniques, and Methods.

The RD&D project authorization in section 6 of the Act appears broad enough to encompass studies and demonstrations involving any facilities, equipment, techniques, and methods appropriate to urban mass transportation service. For example, a June 8, 1970 opinion of UMTA's Chief Counsel has found that, under the definition of "mass transportation" in the Act, there is no legal obstacle to carrying on research studies of taxi operations, or dealing with privately-owned taxi companies in connection therewith, as contractors or grantees. Neither would there be any legal objection to UMTA funding of operational demonstration projects involving taxi-type vehicles, or dealing with privately-owned taxi companies in connection therewith as contractors or grantees, subject to certification by the Secretary of Labor that the requirements of section 13(c) of the Act have been met.

c. Special Needs of the Elderly and Handicapped.

Section 16 of the Act, added by the 1970 amendments, directs attention to the special needs of the elderly and handicapped in the planning and design of mass transportation facilities. With respect to RD&D, section 16(c) of the Act says:

> "Of any amounts made available to finance research, development, and demonstration projects under section 6 . . . 1-1/2 percentum may be set aside

and used exclusively to increase the information and technology which is available to provide improved transportation facilities and services planned and designed to meet the special needs of elderly and handicapped persons."

While this established no eligibility requirement for projects, it should always be given special consideration in the selection of projects for funding.

d. Trade and other Associations--Eligibility Guidelines.

In the development and administration of the RD&D program, UMTA utilizes various sources for advice and assistance in obtaining necessary information or service. However, for undertaking financial transactions with trade and other associations representing agencies, companies, or labor organizations that have a direct interest in or are directly affected by UMTA programs, explicit policy guidelines are provided to assure fair and equitable treatment of all such parties and to protect the interests of the Government, particularly to avoid real or apparent conflicts of interest.

The following policy guidelines should be observed with respect to financial transactions with such organizations:

* UMTA may enter into direct contracts with such organizations for the following purposes:

  -- To obtain statistical reports on members' operations that would not otherwise be produced by the organization and disseminated to the members

  -- To distribute UMTA publications and other material to their membership and to obtain and consolidate the views of members for the use of UMTA in developing or modifying programs, etc.

  -- To organize conferences of experts on industry programs, problems, and proposals from which UMTA may benefit in developing its policies and programs

  -- To inform members about new management practices and techniques and new technology dedeveloped by UMTA, and to assist members in evaluating and introducing such techniques and technology into their operation

* All grant and procurement contracts executed by UMTA in accordance with the provision of the preceding item will be based on applicable law and regulations covering cost-based contracts. Procurement contracts will be governed by the DOT and Federal Procurement Regulations. All contracts will be subject to Government audit, and required to be conducted under an accounting system acceptable to UMTA.

  While the types of costs which the Government should be willing to reimburse may differ on a case-by-case basis, these would normally be expected to include the following:

  -- Travel, per diem and/or other out-of-pocket expenses of association member personnel when engaged in work on UMTA projects as direct costs--on the same basis as Government employees and to the extent that these costs are not reimbursable by the association

  -- A reasonable allocation of the salaries of any persons the association hires or contracts with specifically for an UMTA task and bills the project as direct costs (this category of direct labor to be distinguished from the salaries of association permanent staff members, which are not allowed)

  -- Any support services that the association must procure specifically for the Government, such as outside printing work charged as direct costs

* UMTA will not generally make grants to such organizations.

* UMTA will not engage such organizations as systems managers or prime RD&D contractors.

* Normally, UMTA prefers to rely on individual members of such organizations as consultants rather than on the organizations themselves. When UMTA engages such organizations as consultants, extreme care will be exercised to make sure that no real or apparent conflict of interest can occur with regard to any participant.

* Individuals engaged under the terms of the preceding subsection will be reimbursed for any

necessary travel and will be paid per diem in accordance with Government Travel Regulations.

e. Disaster Relief Act--Waiver Policy.

The Disaster Relief Act of 1970 (Public Law 91-606) contains the following provision, which expresses UMTA's policy to be followed in program administration:

> "Sec. 205. Any Federal agency charged with the administration of a Federal grant-in-aid program is authorized, if so requested by the applicant State or local authorities, to modify or waive, for the duration of a major disaster proclamation, such administrative procedural conditions for assistance as would otherwise prevent the giving of assistance under such programs if the inability to meet such conditions is a result of the disaster."

While the impact of this policy may be minimal for most RD&D program activities, it is conceivable that emergency assistance could be provided under the service development activity, or in other types of demonstration projects. In implementing this policy, the project manager may recommend, for the Administrator's approval, the waiver of any administrative requirements or procedures that would thereby enable UMTA to undertake or continue an RD&D project in a disaster-stricken area.

5. INITIAL PROPOSALS--PRELIMINARY CONSIDERATION (ALL SUBMITTALS)

a. Submittal of Initial Proposals.

UMTA receives many written proposals requesting project support by means of grant or procurement contract. These may be either unsolicited proposals or proposals for preliminary consideration after exploratory inquiry or discussion. UMTA will review and respond to every such submittal received in writing, and will schedule such action for completion within 60 days. If the preliminary proposal deserves full consideration, UMTA will invite a formal documented submittal. For a grant contract, this will be the formal proposal as described in section 6 of this chapter. For a procurement contract, the submitter will be notified of UMTA's intention to follow the requirements for Federal procurement contract award, as discussed in section 9 of this chapter.

The method of funding a proposal will be considered on the basis of certain general guidelines (see subsection 3d of this chapter); and priorities for and amount of funding will be influenced by such factors as budgetary constraints, availability of alternative or joint funding, local funding capability, and other pertinent factors.

b. OMB Pilot Projects for Integrated Grant Administration Program (IGA).

The OMB is currently undertaking a series of pilot projects to test the operational feasibility of the Integrated Grant Administration (IGA). Under IGA, public agencies could submit a single proposal or application for a project to be funded by more than one grant assistance program. This single submittal would be sent to the Federal Regional Council for the area; and it would be processed for acceptance and approval by a task force consisting of members of the Federal and State agencies which would participate in the project. The Federal Regional Council, upon approval of a project, would designate the lead agency for the project. The lead agency then issues the grant award and is responsible for administering the project on its own behalf and as an agent for the other participating Federal agencies.

DOT may be involved in these pilot projects as a participating or lead agency. UMTA project managers will be responsible for monitoring such projects as they do others. For guidance in handling projects under the IGA program, project managers should refer to the OMB memorandum of January 14, 1972, which sets forth the policy, guidelines, and procedures to govern IGA projects. Any inconsistencies with the usual UMTA procedures should be discussed with URD-1.

c. Guidelines for Submission.

The following guidelines may be provided prospective contractors or grantees, on their request, to insure that RD&D proposals submitted directly to UMTA, are documented adequately, and are submitted in such form as to facilitate subsequent UMTA review, coordination, evaluation, and selection. Proposals should be sufficiently detailed to permit evaluation of merit, particularly with regard to the ability of the proposing organization to achieve the objectives on time and within the cost restraints. The suggested format and content of such proposals are provided in the following subsections.

(1) Title Page--This page is to include the following:

* The project title and the research need to which the work will respond

* The name and address of the submitting organization, and the name, title, endorsing signature, and contact point of an individual with the authority to commit the organization

* The name, title, and affiliation of the principal investigator or investigators

* The proposed starting date and duration and financial support required

(2) Summary Section or Abstract--This should indicate a knowledge of the problem and the state-of-the-art; briefly describe the required research, its objectives and the relation to the UMTA program, and the project's method of approach and operation.

(3) Scope and Schedule of the Work--Scope and schedule should be explicitly outlined, to include the following:

* What the project consists of. This should identify the principal components, systems, and innovations or improvements in the state-of-the-art that will be accomplished.

* How and where the project would be conducted. This should indicate the extent of any environmental impact that the proposed project may have, as well as the foreseeable impact on existing transit employment in the area.

* Time schedule and phasing proposed for completion of the project.

* National applicability--the potential for practical and economically feasible national application of the concept, service, system, subsystem, or device to be studied, tested, or demonstrated in the project.

(4) Proprietary Rights--This concerns disclosure of any proprietary rights and interests in the systems or components involved. Proposals should contain a statement that the proposing organization imposes no restriction on the use of technical data included, or have a disclaimer statement similar to the following:

"The data in this proposal, listed below, shall not be used or disclosed, except for evaluation purposes, provided that if a contract is awarded to this submitter as a result of or in connection with the submission of this proposal, the Government shall have the right to use or disclose these technical data to the extent provided in the contract. This restriction does not limit the Government's right to use or disclose any technical data that is not proprietary to the submitter or is obtained from another source without restriction. List of claimed proprietary data: (here describe in detail the material claimed to be proprietary.)"

(5) Approach to Analysis of the Research Need or Problem--The proposal should include an analysis of similar or related research efforts and their contribution and limitations in satisfying the stated research need. For the proposed project, the information should provide an outline of the approach and the operation plan, including: work flow, milestones, technical reports, periodic status reports and presentations, and other elements that lead to the end product. The nature of the final product and its value should be described and--since it is recognized that research may not lead to a definite solution--the project should be so phased as to allow reorientation or termination in accordance with the progress made.

(6) Proposing Organization's Capability and Responsibility--The proposal should identify the ability of the proposing organization to perform responsibly and capably, by outlining the nature of the organization, its financial position, technical ability, physical facilities, and time-space opportunity for the proposed work. Key project personnel should be identified by resumes, and the minimum percentage of time each key individual will devote to the project should be stated. Similar projects that the investigators have worked on, and the results, should be indicated, with particular emphasis on the success of the results in practical application. Advisory services and supporting personnel to meet the project objectives also should be indicated.

(7) Cost Breakdown--The cost breakdown is to set forth the total cost in fixed or estimated terms, as available. The breakdown should include such elements as salaries, fringe benefits, equipment, supplies, travel, publication costs, indirect costs (overhead), profit or fee (if applicable),

and any other costs. The presentation should break out the proportion of these items requiring UMTA support and the proportion or elements that can be obtained from other identified sources. Clear distinction should be made between costs that are fixed and costs that are estimated. Special cost-sharing provisions that serve to share or reduce the total cost should also be clearly shown.

(8) Type of Assistance Proposed--It should be indicated whether a grant or procurement contract is proposed, and if a contract, whether fixed-price, cost reimbursable, or a combination of these types.

d. Guidelines for Evaluating Proposed Projects.

(1) The project must be needed as an integral part of the overall RD&D program plan, developed by UMTA for the fiscal year's funding. (See section 3a of this chapter.)

(2) The project must have promise of greater potential benefits, in terms of the probable value of the information to be developed or technology to be tested, than would an alternate investment of the same funds in other projects.

(3) If it is to be a demonstration project, it must produce information of substantial value for wide national application. RD&D resources will not be used to finance improvements of strictly local value, or to underwrite exhibitions of technology without an accompanying evaluation of their technical and economic performance and public acceptance. Potential sites for operating demonstrations will be chosen on the basis of their representative national relevance, and of the locality's willingness and ability to participate in the manner required by the experimental design of the project, rather than primarily for the satisfaction of local transportation demand.

(4) The project must be organized into phases, each of which can produce documented results adequate to support a decision, if a decision must be made to go further or to terminate Federal support of the project. Thus, the initial phase might be a design study or system definition that, if successful, leads to development of an engineering prototype. If tests of the prototype are successful and cost estimates indicate that cities could afford to adopt the system, it may be funded further for demonstration and tests in public service.

e. Processing Procedure for Proposals.

Every initial submittal that requests consideration for an RD&D grant or procurement contract is identified as

a preliminary proposal. Whether received by mail or hand delivered, such a preliminary proposal shall be routed first to UAD-10. There it will be time-stamped and logged in, a project identity number assigned (see subsection 5f of this chapter), a letter of acknowledgment sent, and an official-file jacket established. A New Proposal Summary will be prepared on the standard format (Figure VII-2), in three copies--the original to be attached to the file jacket, and routed for review by the Procurement Analyst (UAD-43); a copy to be sent to the Management Information Specialist (UAD-41) for initial input data into the Management Accounting and Control System (MACS); and a copy to be sent to UCR-1 for review of Civil Rights implications and opportunities for minority contractors.

UAD-43 will review the proposal to determine whether it involves any proprietary rights. If it does not, UAD-43 will so indicate, and forward it immediately to URD. If it does, and the submittal does not contain a proprietary rights disclaimer (see subsection 5c(4) of this chapter), UAD-43 will indicate this on the New Proposal Summary, and request such a statement from the submitter, or request clarifying information in order that the proposal may be given further consideration. He will then forward the file to URD, with a copy of his letter, for substantive review and for UMTA's decision on the proposal.

In URD, the central point for processing coordination will be URD-10 (Systems Analysis and Evaluation Division). All proposals will be routed to URD-10, where they will be logged in for control and action. Initially, URD-10 will identify and route any proposals that, because of the special subject matter, belong in UCR or UPP. Such proposals will follow the same control, review, and notification procedures as prescribed for projects administered by URD. URD-10 will then assign and route each proposal to an appropriate project manager, and to such other technical reviewers as may be deemed advisable, for substantive review and report. URD-10 will establish a suspense date by which all action on the proposal should be completed (usually not later than 60 days from the date the proposal was received in UMTA, as indicated on the time stamp).

Sometimes, URD-10 may deem it appropriate, without further review, to send an immediate negative reply to a proposal that is clearly ineligible for further consideration; and the letter of acknowledgment will also be the closeout for the proposal without further action.

The project manager will look for the following in his review of a proposal:

* Compatibility with the RD&D program purposes and objectives (see section 1c of this chapter)

* Importance of the proposal to the fiscal year program activity funding plan in terms of its impact on ongoing and planned projects

* Potential for impact on the state-of-the-art from the viewpoint of improvement and innovation

* Technical feasibility and engineering feasibility

* Cost feasibility and potential for capital funding

* Potential of the proposal for eventual use, nationally, in improvement of urban transit operations

* Background, experience, and known capabilities of the submitting entity or principal performer on the proposed project

* Other pertinent matters, such as questions of environmental impact, labor impact, and displacement of persons by proposed construction.

In the course of his review, the project manager should call upon the resources of UMTA and DOT for such urban planning, engineering, financial, and other technical assistance as he may need for analysis of the proposal. He will then prepare a review report for the record, with his recommended followup action, and route it, with the file, back to URD-10 for systems analysis review and completion of action.

In the systems analysis review, URD-10 will analyze and evaluate the proposal with special attention to engineering-economic and cost-effectiveness considerations incorporated in the proposal. Particular attention will be paid to how the proposal will contribute to the state of knowledge on urban mass transportation and the comparative cost of the project. In the case of revenue-producing demonstration projects, attention should be centered on evidence of a potentially favorable revenue-cost or benefit-cost ratio.

Another primary concern should be evidence of a demand analysis with regard to the proposed project, for example, how many passengers, what socioeconomic group will utilize

the proposed service or system. The review also should consider the effect of the project on total program balance and achievement of program objectives, the potential for meaningful results in terms of the project's experimental design, and the relative merits in comparison with other projects competing for the available program funds.

When the systems analysis review of the proposal is completed, URD-10 will prepare an abstract of the proposal and its salient features, for the record, along with a summary memorandum of conclusions and recommendations, to the Associate Administrator (URD-1). The analyst will, at the same time, prepare a letter from URD-1 to the submitter, reflecting the conclusions reached in the analysis of the proposal, and UMTA's decision on follow-up action. Before this is done, URD-10 shall have discussed the project with the project manager and resolved any differences regarding the action UMTA should take. The report and recommended action on the proposal will be routed, with the file, to URD-1 for signature and subsequent dispatch of the letter.

Once the letter has been dispatched, the file will be returned to URD-10, where completion entries will be made on the proposal summary sheet (Figure VII-2).

If the decision on the proposal is negative, the entire file will be sent back to UAD-10 for permanent retention. The proposal summary will be routed to UAD-41 for updating the MACS data bank. UAD-10 will then close out its record on the proposal and store the file.

If the decision on the proposal is for further consideration, the entire file will be routed by UAD-10 to UCC for preliminary legal review by the Program Division of the Chief Counsel's office (UCC-30), and for any advance section 13(c) notification of the Department of Labor on possible employment impact of the proposed project.

During the course of his review, the project manager will have noted, also, whether the proposal appears to involve environmental impact, or requires review by State, regional or metropolitan clearinghouses pursuant to OMB Circular No. A-95 (see subsection 7g of this chapter). Accordingly, if the decision is made to give further consideration to the project, it would be avdisable to move forward at this point--in the letter to the submitter or by other appropriate action--on further steps to obtain the necessary clearances in order to support the environmental impact statement and other planning review requirements that will be required for project approval.

f. Assigning Project Identity Numbers.

UAD-10 is responsible for assigning a project identity number to every project under consideration from the time of the initial proposal from outside UMTA, or the initiation of a new project by URD. The number is based on a three-unit numbering system consisting of a "State Abbreviation/Symbol of Type and Number." This is the permanent project number that will be used from the preliminary proposal stage through project approval, operation, and closeout. If a proposal is rejected, the identity number will be closed out with the rejected proposal, and will thus have no effect on the numbering sequence.

The first part of every identity number will show the State of the submitting entity. If the submitting body for a proposal is an interstate agency or if no single State can be identified as for a DOT/UMTA-initiated project, the abbreviation for the first part of the number will be "IT."

The middle symbol will be established for each type of proposal as follows:

* If the proposal appears to be for either research and development, or demonstration, it will be given the symbol "06."

The third part of the number is the sequential order in which proposals are received in UMTA for recording by UAD-10.

For example, assume that a project proposal submitted by New Mexico is the first received by UMTA for that State. The number would be given as follows:

* If identified as an RD&D contract, the number would be NM-06-0001.

NOTE: The previously-used middle symbols, "MTD" and "TRD," will be changed for on-going projects to conform to the new system. All new proposals and projects will be numbered in accordance with the system described above.

6. FORMAL (FINAL) PROPOSAL FOR GRANT CONTRACT

The formal (final) proposal for an RD&D grant contract is made on UMTA form 1 (see Figure VII-3). This is a one-page summary sheet, to which is appended detailed statements, as applicable, and as needed to amplify the initial proposal, on each of the following (copies: original and four of each, except as indicated):

* General description of project and project area

* Work program

* Data collection, analysis, and reporting--experimental design

* Project budget

* Labor requirements and impact

* Environmental impact and displacement of persons

* Technical, financial, and legal documentation (one set only)

The following paragraphs are keyed to the previous listing and generally describe the contents of the required appendices.

a. General Description of Project and Project Area.

Statement of the purpose of the project, in terms of what the project is designed to demonstrate or test.

Statement describing what will be done to achieve the project objective, including the following:

* How and where the project will be conducted

* New equipment, facilities, systems, services, methods or ideas which will be tested or demonstrated

* Changes to be made in existing services or facilities

* Participants, directly or by third-party contract, in the project

* Arrangements for data collection, analysis, and reporting

* Time schedule and summary of costs and sources of funds

Statement on the significance of the expected results of the project and how they can be useful in solving mass transportation problems in other urban areas.

Description of the applicant, its organization and functions, and its relationship to other agencies concerned directly or indirectly with urban transportation matters in the locality.

Description of the project area, with particular emphasis on factors (such as land use, population density, characteristics of persons living or working in the area, and topography) that relate to the project objectives and activities; relationship of the project area to the urban area as a whole; and changes that are about to occur in the area and that may affect the project.

Description of the status of comprehensive planning, including transportation planning, in the urban area as a whole and in relation to the project area, and indicating the relation of the project to local and metropolitan planning objectives.

b. Work Program.

* For all projects.--Schedule of project activities in a time-phase sequence, cost schedule, organization for carrying out the project, operating responsibilities, responsibilities and selection of staff for project supervision, advertising program, and work to be done before the project can begin.

* For projects involving new or improved service.--Routes and service areas involved in or related to the project, existing and proposed schedules

and fare structure, equipment to be used, changes in service anticipated during the project, permits or other authorizations that must be obtained before service can be inaugurated or changed, and procedure for obtaining such authorizations.

* For projects involving new or improved equipment and facilities.--Need for the equipment or facility in relation to project objectives, outline plans and specifications, cost estimates, alternative methods of disposition upon project completion and estimates of residual value, method of procurement, arrangements for use of land or right-of-way, site supervision and inspection, maintenance, user fees, and other pertinent matters.

c. Data Collection, Analysis, and Reporting--Experimental Design. (See also section 7 of this chapter.)

Description of the detailed design and arrangements for collecting, analyzing, measuring, and reporting data during the course of the project, for purposes of compiling a useful body of relevant information to document the accomplishment of project objectives. The information needed to evaluate the arrangements for collecting, analyzing, and reporting data on the project should include the following:

* Description of the kinds of technical data to be derived from the project and of the plan and schedule for collecting, analyzing, and reporting such data

* Statement or chart relating the data collection and analysis schedule to the work program

* If consultants are to be used, a statement covering the proposed qualification requirements and method of selection

* Identification of specific responsibility for project accounting and the maintenance of financial records

* Identification of specific responsibility for preparing and submitting each type of report

d. Project Budget.

The project budget consists of the following forms:

UMTA 2--RD&D Grant Project Budget--Grant Contract (Figure VII-4)

UMTA 3--Budget Schedule A--Administrative Expenses (Figure VII-5)

UMTA 4--Budget Schedule B--Source of Funds (Figure VII-6)

UMTA form 2 is the complete line-item list of all estimated project costs, by type of cost. These costs are explained in further detail by UMTA forms 3 and 4 accompanying form 2. Line-items 1 through 4 are the costs to be directly incurred by the applicant; UMTA form 3 is used to itemize these estimates for staff salaries, employee benefits, travel, and other direct and indirect administrative costs. Costs that are to be incurred by project participants other than the applicant are to be included in line-items 5 through 8 of UMTA form 2--covering estimates for service improvement costs, construction or rental contracts, consultant contracts, and other project costs. The detailed explanation for line-items 5 through 8 are to be attached as a separate narrative describing the scope of the work to be done or services to be performed, the basis for the cost estimate, and the basis upon which payments will be made.

Where revenues will accrue to the project, these must be estimated and the basis of the estimate set forth. The method to be used in ascertaining and accounting for such revenues must also be stated. The budget for revenue-producing activities will be on a net basis--costs less estimated revenues.

The documentation required to support estimates of costs and revenues will vary with the nature of the project. When any work under line-items 5 through 8 is to be performed directly by the applicant, the exact formulas for ascertaining costs and revenues must be stated as a basis for establishing project accounts and the audit of those accounts. When work is to be performed by another party under contract, the formulas may be submitted with the application or delayed until the contract has been negotiated and submitted to UMTA for concurrence.

In either case, estimates of service improvement costs must be supported by the carrier's financial reports--preferably by those that have been submitted to the appropriate regulatory agency. Where incremental revenues or

losses from fare reductions or diversions are involved, base figures and citations to the sources of such figures must be furnished.

The usual allowance for contingencies (line 10 of UMTA form 2) is ten percent of the line-item costs (subtotal of line 9). However, when one or more cost items are based on fixed-cost contracts, the terms of which are reasonably firm at the time the application is prepared, these items should be deducted from the subtotal on line 9 before the allowance for contingencies is computed.

UMTA form 4 is used to identify the sources of funds to cover the estimated total project cost (line 11 of UMTA form 2). UMTA form 4 must cite evidence that the non-Federal contributions are or will be available. Commitment letters, copies of appropriation acts, or other documents giving such assurances must be included in the application.

Direct services to the project, rendered by the applicant or furnished by other participants without reimbursement, may be credited as a non-Federal contribution when the cost of such services is included in the project budget and approved by UMTA. The actual cash value of these services must be recorded in the project accounts when the services are rendered, and those costs are subject to audit.

e. Labor Requirements and Impact.

For any proposed service development project, or any other RD&D project involving or affecting existing transit operations, the provisions of section 13(c) of the Act are applied. Those require that fair and equitable arrangements be made by the applicant, as determined by the Secretary of Labor, to protect the interests of employees affected by Federal assistance (see section 7f for additional details).

f. Environmental Impact and Displacement of Persons.

The proposal should describe any significant impact which the proposed project may have on the urban area environment and on the displacement of persons. (See subsections 7g and 7h for details.)

g. Technical, Financial, and Legal Documentation.

The following documentation should be provided, as relevant:

* Maps of the urban area, the project area, and (where relevant) a transportation map of the

area to show land uses, transportation routes and service areas, location of facilities, and other project purposes

* Planning reports, or other studies relating to transportation in the urban areas

* Support and participation letters, as pertinent to the proposed project, such as from the official planning agency, indicating the relationship of the project to local planning objectives; and from each Governmental agency and carrier which is to participate in project activities, indicating its intention to carry out, or provide support for, specified functions

* Availability of non-Federal contribution to project costs, such as appropriation document, letter of intent, resolution, or other evidence of the financial commitment

* Legal documentation, including the following:

  -- An Opinion of Counsel which includes the following:

     (a) The statutory authority, with citation, which created the applicant as a public body or nonprofit organization.

     (b) The statutory authority, with citation, which gives the applicant the legal capacity to apply for and receive a Federal grant.

     (c) The statutory authority, with citation, which allows the applicant to expend its own monies in connection with the proposed project. (Unless 100% funding is allowed.)

     (d) Whether there is any threatening or pending litigation which might interfere with the proposed project.

     (e) In the event the proposed project could result in the institution of eminent domain proceedings by the Applicant, the Opinion of Counsel should include a reference to any relevant statutes which might have a bearing on such proceedings.

-- A certified copy of the resolution or a similar official-action document authorizing the filing of the application and designating the applicant's official representative. (A sample resolution and certification are shown in Figure VII-7.)

-- Assurance of compliance with the DOT/UMTA regulation under Title VI of the Civil Rights Act of 1964 (Text of Assurance of Compliance is shown in appendix 6.)

7. PREAPPROVAL ANALYSES AND DETERMINATIONS

a. Experimental Design Analysis.

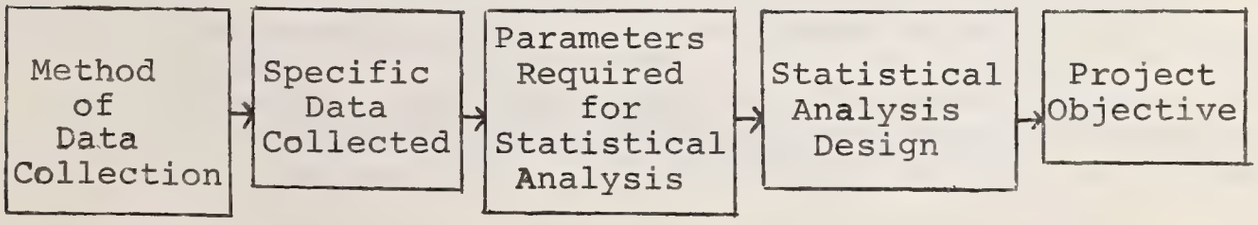
Since there is no single answer to an urban transportation problem, an experimental course of action that tries alternative solutions (experimental projects) must be undertaken. To ascertain and measure the effectiveness of alternate solutions, an experimental design is needed that will structure and formalize the conduct of a project in order to produce results that are measurable and capable of national application. The characteristics of the experimental design of a project include the following:

* Well defined project objectives, focusing on the national applicability of project results

* A statistical design framework for the project, to provide maximum carryover of results beyond the particular locality

* Presentation of results in a form easily assimilated by other regional and local jurisdictions across the country that might have interest in adopting the demonstrated transportation improvement

Accordingly, there should be a detailed description of the experimental design for every project, prepared prior to beginning the experimental service under actual operating conditions. That document will identify specific data to be collected and the means of collection (when, where, and how) and will describe a continuity of analysis along the following lines:



The analysis of a project's experimental design will be part of the routine review of proposals by the Division of Systems Analysis and Evaluation (URD-10). Nevertheless, it will be the project manager's responsibility to make certain that an acceptable experimental design has been prepared before a project is recommended for approval.

b. Technical and Legal Analysis.

The approval package, in its discussion and documentation, must reflect an intensive technical (including financial) and legal analysis. Whether the project is for a grant or procurement contract, whether it was UMTA-initiated or a submitted proposal, the technical and legal analysis will determine its acceptability for UMTA funding.

The project manager responsible for developing a project proposal to the approval stage has the lead responsibility for assuring the adequacy of the necessary analytical reviews, calling upon the technical resources in UMTA, or available to UMTA, as necessary. The nature of the technical analysis has been indicated in the procedure for processing new proposals (see section 5 of this chapter). The same considerations apply in the review and analysis of a final submission, preparatory to approval. At this stage, however, the documentation should be sufficient to allow for review and analysis in depth, particularly with respect to technical engineering and financial details.

While legal review and analysis may also be accomplished at various stages of project development, its most significant impact is at the earlier stages of project development, when the project manager can be alerted to legal omissions and discrepancies that must be corrected or to requirements that must be met to enable the project to move forward to approval. These would be matters involving an applicant's eligibility; its legal, financial and technical capacity; the project's eligibility; considerations of labor impact, environmental impact, civil rights, land acquisition, and other matters requiring preapproval clearances and certifications by agencies outside UMTA, or findings and determinations by the Administrator.

c. Guidelines for Determining Allowable Costs.

The Office of Management and Budget (OMB) has prescribed uniform principles and standards for determining costs allowable under Federal RD&D grants and contracts with educational institutions and with State and local governments.

OMB Circular No. A-21 applies to projects with educational institutions; and Circular No. A-87 applies to projects with State and local government agencies.

(1) Allowable Costs--For every RD&D grant project, allowability of costs shall be determined in conformance with the principles and standards set forth in OMB Circular Nos. A-21 and A-87. In essence, costs are allowable if they are:

* Made in conformance with the project description, the project work statement, the project budget, and the provisions of the contract

* Necessary to accomplish the project

* Reasonable for the goods or services purchased

* Actual net costs to the grantee or contractor (i.e., the price paid minus any refunds, rebates, or other items of value received that have the effect of reducing the cost)

* Incurred (and be for work performed) after the date of the contract, unless other specific authorization is made in writing by UMTA

* Satisfactorily documented

* Treated uniformly and consistently in accounting policies and procedures approved or prescribed by UMTA for the project, and those approved or prescribed by the grantee or contractor for its subcontractors.

(2) Unallowable Costs--For some types of costs, the determination of allowability or unallowability will depend on the nature of the circumstances under which they were incurred. For all costs, the guidelines and standards of OMB Circular Nos. A-21 and A-87 should be applied. Some costs clearly unallowable are the following:

* Contributions and donations.--Contributions or donations to organizations or for any other purpose.

* Entertainment costs.--Cost of amusements, social events, and incidental costs relating to them, such as meals, beverages, lodgings and gratuities, unless such costs are a part of the fee charged for attendance at meetings.

* Meals.--The cost of meals served at meetings of boards or committees.

* Fines or penalities.--Costs resulting from violations or failure to comply with Federal, State, and local laws and regulations.

* Interest and other financing costs.--Interest on borrowing (however represented), bond discounts, costs of financing and refinancing operations, and legal and professional fees paid in connection therewith, unless such legal and professional fees are specifically provided for in the project budget.

* Legal expenses.--Legal expenses for the prosecution of claims against the Federal Government.

* Meeting attendance.--Costs of attending or conducting meetings in facilities that are not available on a nonsegregated basis.

* Other meeting expenses.--Payment of stipend for attendance at meetings to persons other than those assigned to the project by the project sponsor.

* Travel.--The difference between first-class air accommodations and less than first-class air accommodations is not allowable, except when less than first-class air accommodations are not available. Per diem or subsistence payments must be within existing State or local laws or regulations or as prescribed by the Federal "Standardized Government Travel Regulations" if the former do not apply.

* Salaries.--Salaries of elected or appointed chief executive officers of a State, county, city, authority, or other public body.

* Preparation of Application.--Costs of preparing an application for assistance under the Urban Mass Transportation Act of 1964 as amended.

* Uninsured losses.--Claims for actual losses incurred, where the sponsor is self-insured, or where the losses could have been covered by permissible insurance.

d. Nonexpendable and Expendable Property.

Insofar as possible, a clear delineation should be established between project costs involving nonexpendable and expendable property. This will make final disposition of property easier, and speed up final settlement and close-out of projects. (See sections 12 and 13b of chapter VIII.) The following guidelines will be helpful:

(1) Expendable Personal Property is analogous to the accounting cagetory "Current Assets." Examples of such property would be office supplies, maintenance supplies, gasoline, tires, spare parts, and other such items.

(2) Nonexpendable Real Property includes all land, structures, buildings, and fixtures acquired or constructed with section 6 funds for an RD&D project. It is not intended, however, to include improvements unless such improvements are severable from the real estate.

(3) Nonexpendable Personal Property includes any property, other than real estate, purchased pursuant to an RD&D project, which is of a capital nature, analogous to the accounting term "Plant and Equipment." This category would include permanent items that are purchased for and used in the project but not expected to be consumed or used up in the course thereof. Examples would include, but not be restricted to, vehicles, office machines and equipment, and shop equipment.

Capital equipment and supplies purchased pursuant to a project for the purpose of rehabilitating existing facilities do not generally constitute "nonexpendable property" as that term is applied to disposition of property upon project completion. Experience indicates that capital items purchased for and used to rehabilitate a project facility, in most instances, become so much a part of the rehabilitated facility as to make the cost of severing and reselling such items so excessive that such severance becomes impracticable

and uneconomical. For example, rehabilitated signal systems, crossing gates, communication systems, electrical substations, fencing, track, rail, overhead catenary, switches, and numerous other items necessary to the success of a rail service project (such as the Skokie demonstration) could not reasonably be said to be subject to disposal separately from the balance of the improved facilities.

Likewise, and for similar reasons, capital supplies and equipment incident to converting a parcel of existing real estate into a parking facility do not come within the meaning of "nonexpendable real property" provisions.

On the other hand, entirely new structures, such as a station, must be considered to be within the meaning of nonexpendable real property subject to disposition. Clearly, where an entirely new structure is concerned, the question of severance and the related problems of expense of severance simply do not arise, as the entire structure is subject to sale as a unit.

e. Cost Sharing.

OMB Circular No. A-100, dated December 18, 1970, provides guidelines for cost sharing in federally sponsored research. DOT Order 4600.5, dated July 1, 1971, which implements the OMB Circular, encourages the use of cost sharing and adoption of the suggested guidelines.

Participation by performing organizations in the cost of RD&D projects is intended to serve the mutual interests of the Federal Government and the performing organizations by helping to assure efficient utilization of the funding resources available for such projects and by promoting sound planning and prudent fiscal policies by the performing organizations.

Accordingly, it is the UMTA policy to encourage cost sharing in RD&D projects by performing organizations for both grant and procurement contract projects, insofar as this is determined to be feasible and equitable, following the guidelines set forth in the next subsections.

(1) General Guidelines for Determination of Cost Sharing--While cost sharing need not be a prerequisite to the award of an RD&D grant or procurement contract, it should be actively considered in the evaluation of proposals, unless the reviewer concludes that a request for cost sharing would not be appropriate because of any of the following circumstances, which must be documented and kept as part of the evaluation record:

* The particular RD&D objective or scope of effort for the project is specified by the Government rather than proposed by the performing organization. This would usually apply to any formal request for proposals (RFP) that UMTA initiates for the award of an RD&D contract. Nevertheless, exceptions to this rule may be warranted where the procurement is sole source.

* The RD&D effort has only minor relevance to the non-Federal activities of the performing organization, and the organization is proposing to undertake the research primarily as a service to the Government.

* The organization has little or no non-Federal sources of funds from which to make a cost contribution. This would generally include nonprofit organizations which are predominantly engaged in research and development and have little or no production or other revenue-generating service activities upon which to draw for cost sharing.

(2) Amount of Cost Sharing--If cost sharing is determined to be appropriate, the amount should be determined by mutual agreement of UMTA and the project sponsor, reflecting consideration of factors pertinent to the organization's financial resources and the character of the RD&D effort.

Factors that may be considered in negotiations regarding the amount of cost participating include the following:

* In the case of grant contracts with educational institutions and other not-for-profit or nonprofit organizations, participation should normally be expected and requested, within a minimal range of one to five percent of project cost. In some cases, it may be appropriate to expect a higher percentage of sharing, as when the cost of the RD&D consists primarily of the academic-year salary of faculty members, or when the equipment acquired by the institution for the project will be of significant value to the institution in its educational activities.

* In the case of commercial or industrial organizations with which UMTA contracts directly, the consideration of cost sharing should depend largely on whether the project is likely to enhance the organization's capability, expertise, or competitive position to its financial advantage. On the other hand, organizations that are predominantly engaged in research and development and have little or no production or other service activities may not be in a favorable position to derive a monetary benefit from such participation. Thus, cost participation by commercial or industrial organizations could reasonably range from no cost sharing to as much as 50 percent or more of the project cost.

* If the performing organization will not acquire title to or the right to use inventions, patents, or technical information resulting from the project, it would generally be appropriate to obtain less cost sharing than if the organization acquires such rights.

* A relatively low degree of cost sharing may be appropriate if it is determined by reference to the program priorities established by the President that an area of research requires special stimulus in the national interest.

* If the research is expected to be of only minor value to the performing organization, it may be appropriate for the organization to make a contribution in the form of a reduced fee or profit rather than sharing the costs of the project.

(3) Method of Cost Sharing--Cost participation may be accomplished by a cash or cash equivalent contribution to any of the cost elements of RD&D projects, either direct or indirect costs, provided that such costs would otherwise be allowable in accordance with the terms and conditions of the grant or procurement contract, and with other applicable Federal laws and regulations; and provided further that such costs are not charged to the Federal Government under any other project.

The amount of cost participation by a performing organization may be determined for each individual project, or for the aggregate of all or some of the projects for which such organization is receiving UMTA support. Furthermore, if a project will run a number of years, or if an aggregation of projects is the basis of the cost sharing, the arrangements may be such as to vary the cost sharing by year or by project, to arrive at an acceptable overall average.

(4) Maintaining Records--Performing organizations shall be required to maintain records of all RD&D project costs claimed as the organization's contribution, as well as records of costs to be paid by the Federal Government. Such records shall be subject to audit by the Federal Government.

f. Employee Protection--Labor Determination.

Section 13(c) of the Urban Mass Transportation Act requires that fair and equitable arrangements be made, as determined by the Secretary of Labor, to protect the interests of employees affected by Federal financial assistance, and that the contract specify the terms and conditions of the arrangements.

By an exchange of letters between the two departments early in 1965, a procedural arrangement was agreed to for the referral of proposals and applications for the labor determination.

In the Office of Chief Counsel, the Program Division (UCC-30) provides the liaison service for this activity--forwarding proposals and applications, arranging for discussions with the Labor Department, and otherwise serving as the central contact point between UMTA and Labor.

When determination letters are received from the Department of Labor in response to UMTA requests, UAD-10 makes note of this in the manual "MIS Record of Projects Pending" and then routes the Labor Department determination (via the Chief Counsel) to the appropriate program office.

g. Environmental Impact and OMB Circular No. A-95--State, Regional, and Local Planning Review.

(1) Environmental Impact--It is UMTA's policy to promote efforts to improve the relationship between man and his environment and to effectuate this by giving thorough consideration, in the evaluation of proposed projects, to protecting and enhancing the environment. This policy is

reinforced and supplemented by specific provisions in the Urban Mass Transportation Act, the DOT Act, the Clear Air Act, the Historic Preservation Act, and most particularly by the National Environmental Policy Act and regulations thereunder.

See subsection 5b(4) of chapter III for a full background statement and guidelines for the actions that must be taken upon a determination that a project will have a significant impact on the environment or require the use of public park land, wildlife refuge, or historic site. While most of the activity on this will be in connection with UMTA's capital assistance program, there will be some demonstration projects involving major construction and extensive route operations, which will significantly affect the environment, even if only of temporary duration. Although not required by the Act, UMTA requires that hearings be held for such section 6 RD&D projects. Such projects will require the same sequence of clearance and hearing actions before they can be approved for funding. Accordingly, project managers must be familiar with the requirements and procedures set forth in section 5b(4) of chapter III--particularly the guidelines for determining what constitutes substantial impact--and to obtain enough pertinent information on a proposed project to support and document a negative or affirmative determination.

If the determination is negative, then all that is needed is a statement in the approval memorandum that "This project will have no significant impact on the environment," with a short explanation where appropriate. This means that there would be neither an adverse nor a beneficial impact. However, if it is determined that there may be a significant impact either way, then all steps for review and clearance--which may, among other steps, involve a project hearing--must be taken before the proposed project is submitted for approval.

Project managers are cautioned that, because of the lengthy review and clearance process, the environmental impact determination should be made at the earliest moment.

All facilities and equipment acquired, constructed, reconstructed, or improved using UMTA funds shall be designed and equipped to prevent or control air pollution in accordance with criteria issued by the Federal Government. However, in those locations where State or local air pollution regulations are in force, the more restrictive criteria shall govern.

All contractors and suppliers must submit evidence to the project sponsor that the governing air pollution

criteria will be met. This evidence and related documents will be retained by the sponsor for on-site examination by UMTA representatives. See also section 8c(2)(c) of chapter VIII on standard clauses for third-party equipment contracts.

(2) OMB Circular No. A-95--Planning Agency Review--OMB Circular No. A-95 implements various statutes requiring that Federal or Federally-assisted development projects be compatible with State, regional and local development plans. URD has been advised that, in accordance with A-95 attachment A, part II: Direct Federal Development, an RD&D project involving a major installation may have to be submitted, for consultation and review, to the appropriate State, regional, and metropolitan planning and development clearinghouses which have been established pursuant to A-95. (Copies of the current clearinghouse list are available in URD-1 and elsewhere in UMTA). Project managers should therefore be alert to the need for such clearances (and familiar with the provisions of A-95), and see that timely action is taken at the earliest stage of project review, to avoid undue delay in having a project ready for UMTA approval.

h. Relocation Assistance and Land Acquisition Requirements.

If construction activity on an RD&D project will make it necessary to displace persons from their homes or businesses, there must be an adequate relocation plan, as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, OMB Circular A-103, and DOT regulations thereunder. (See appendix 7.)

8. PROCESSING FOR APPROVAL

a. Responsibility and Readiness.

The project manager has responsibility for developing the proposed project for approval, for preparing and coordinating the various documents of the approval package, and for assembling the other materials that may be useful for the Administrator's briefing (see section 8c of this chapter).

A proposed project or amendment is ready for approval processing when the project manager has ascertained that funds are available in the current funding plan, and when the preparatory work for inception of the project has been completed or is far enough advanced to give assurance that the project can get underway without delay.

This means the project must have a well-defined statement of objectives; a work program and phased schedule for accomplishment; a project financial plan and schedule; an available organization of competent professionals to carry out the project; and an experimental design that will assure that the project will be carried out with scientific discipline and produce a comprehensive, well-documented report.

It also means that if the project appears to have labor and environmental-impact questions, these have been resolved by a Labor Department determination in writing and an environmental-impact statement reflecting all necessary local, State, and Federal agency clearances. If the displacement of persons will be required by project construction, arrangements should also be completed or well underway for a relocation plan that will assure that all such persons are properly relocated before any construction activity begins.

b. Approval for Acquisition of Major Systems.

All RD&D projects involving a major system or program whose total cost is either estimated to exceed $10,000,000 or one whose total RD&D cost to DOT is estimated to exceed $1,000,000, requires the prior approval of the Secretary or Under Secretary. The Administrator is required to submit an Acquisition Paper (AP) to the Secretary to explain and support the proposed acquisition.

The AP will document the reasons why the system is needed, together with the full explanation of how the proposed system acquisition will improve the Nation's transportation capabilities. With respect to the particular life-cycle phase involved, the AP will define operational, technical, environmental, legal, cost and other issues of the proposed acquisition, and will include: pertinent program and project plans; performance parameters, areas of major risks; system alternatives; method of acquisition; estimated costs and time schedules; and identification of the key personnel and organizational elements involved in the system development and acquisition, and their roles.

All submissions to the Secretary or Under Secretary for his approval will be made through the Transportation Systems Acquisition Review Council (TSARC). The Council will review the submission, evaluate the desirability of proceeding into the life cycle phase involved, and advise the Secretary of its conclusions.

Any substantial known or anticipated deviation from the base-line established under an approved AP shall be reported promptly to the Secretary who may request a reconsideration of the AP by the TSARC and a report on its conclusions.

For specific procedures regarding the Secretary's approval, see DOT Notice 4200.4, "Approval of Acquisition of Major Systems."

c. Contents of the Approval Package.

There are two types of approval packages--those for grant contracts and those for procurement contracts. The following applies to both the initial project approval and to amendments required to be approved by the Administrator.

(1) For Grant Contracts--The approval package for a grant contract will usually consist of the following set of documents:

* Approval memorandum.--This is the Associate Administrator's transmittal memorandum to the Administrator, summarizing the project objectives, scope of work, development phases, time schedule, major milestones, methodology, management, and financing; giving background on the project's significance to the ongoing program plan and the fiscal year funding plan; citing the project's legal eligibility and conformance with section 6 purposes and requirements; and recommending approval to obligate the Federal program funds specified and reserved. If the project is to be funded entirely from Federal funds, the approval memorandum must explain why cost sharing is not feasible or appropriate. See section on Cost Sharing, for guidelines. (Also required by DOT Order 4600.5.)

  For all demonstration projects, and for others as appropriate, explicit consideration should be given to the development of an experimental design for the project, and this must be documented in the memorandum or elsewhere in the approval package.

  Every approval memorandum must show the project number. When the Administrator signs

This means the project must have a well-defined statement of objectives; a work program and phased schedule for accomplishment; a project financial plan and schedule; an available organization of competent professionals to carry out the project; and an experimental design that will assure that the project will be carried out with scientific discipline and produce a comprehensive, well-documented report.

It also means that if the project appears to have labor and environmental-impact questions, these have been resolved by a Labor Department determination in writing and an environmental-impact statement reflecting all necessary local, State, and Federal agency clearances. If the displacement of persons will be required by project construction, arrangements should also be completed or well underway for a relocation plan that will assure that all such persons are properly relocated before any construction activity begins.

b. Approval for Acquisition of Major Systems.

All RD&D projects involving a major system or program whose total cost is either estimated to exceed $10,000,000 or one whose total RD&D cost to DOT is estimated to exceed $1,000,000, requires the prior approval of the Secretary or Under Secretary. The Administrator is required to submit an Acquisition Paper (AP) to the Secretary to explain and support the proposed acquisition.

The AP will document the reasons why the system is needed, together with the full explanation of how the proposed system acquisition will improve the Nation's transportation capabilities. With respect to the particular life-cycle phase involved, the AP will define operational, technical, environmental, legal, cost and other issues of the proposed acquisition, and will include: pertinent program and project plans; performance parameters, areas of major risks; system alternatives; method of acquisition; estimated costs and time schedules; and identification of the key personnel and organizational elements involved in the system development and acquisition, and their roles.

All submissions to the Secretary or Under Secretary for his approval will be made through the Transportation Systems Acquisition Review Council (TSARC). The Council will review the submission, evaluate the desirability of proceeding into the life cycle phase involved, and advise the Secretary of its conclusions.

Any substantial known or anticipated deviation from the base-line established under an approved AP shall be reported promptly to the Secretary who may request a reconsideration of the AP by the TSARC and a report on its conclusions.

For specific procedures regarding the Secretary's approval, see DOT Notice 4200.4, "Approval of Acquisition of Major Systems."

c. Contents of the Approval Package.

There are two types of approval packages--those for grant contracts and those for procurement contracts. The following applies to both the initial project approval and to amendments required to be approved by the Administrator.

(1) For Grant Contracts--The approval package for a grant contract will usually consist of the following set of documents:

* Approval memorandum.--This is the Associate Administrator's transmittal memorandum to the Administrator, summarizing the project objectives, scope of work, development phases, time schedule, major milestones, methodology, management, and financing; giving background on the project's significance to the ongoing program plan and the fiscal year funding plan; citing the project's legal eligibility and conformance with section 6 purposes and requirements; and recommending approval to obligate the Federal program funds specified and reserved. If the project is to be funded entirely from Federal funds, the approval memorandum must explain why cost sharing is not feasible or appropriate. See section on Cost Sharing, for guidelines. (Also required by DOT Order 4600.5.)

  For all demonstration projects, and for others as appropriate, explicit consideration should be given to the development of an experimental design for the project, and this must be documented in the memorandum or elsewhere in the approval package.

  Every approval memorandum must show the project number. When the Administrator signs

the "Approval" block, the memorandum becomes the formal approval document for commitment of funds. (See Figure VII-8 for a typical format of an approval memorandum and its distribution.)

2 * Legal report.--This is always part of the approval package, primarily to document the legal eligibility of the project. It may be either furnished to the project manager before the rest of the package is put together, or added to the package when it is routed to UCC for surnaming. In either case, the project manager will have assured himself in advance, and the approval memorandum will state, that legal clearance has been obtained.

3 * Labor determination.--A letter from the Department of Labor, making the labor protection determination required by section 13(c) of the Act, must be an attachment to the approval package for all proposed projects that may have an adverse effect on transit employees. UCC-30 is responsible for obtaining this and for providing it to the project manager.

4 * Environmental-impact determination.--If no significant environmental impact is expected to result from the project, it will be so stated in the approval memorandum, as a negative determination. But if the project is expected to have a significant impact--favorable or unfavorable--an environmental-impact statement, based on the review and clearance actions required must be attached as part of the approval package. The project manager will develop this with the assistance of UPP. (See section 7g of this chapter for procedure.)

5 * Cash disbursement schedule.--This is the estimated cash disbursement of Federal grant funds, by quarter for the current fiscal year and annually for each additional year of the project, based on the draw-down schedule provided in the proposal. It can be set out in a separate sheet or incorporated in the approval memorandum, under the section on project funding.

* Project budget.--This is the original UMTA form 2 submitted with the formal grant proposal. The UMTA approval column is to be filled in, and the form made ready for the Associate Administrator's signature; but it is not dated until after the Administrator's approval.

* Press release draft (and "Attachment One" notification form "Proposed Award of Contract or Grant.").--A press release is required only for projects involving new Federal funds of $50,000 or more, and the draft must be specifically approved and surnamed by the Associate Administrator (URD-1). For every project, regardless of size, the standard OST Public Affairs summary information form must be included as part of the package.

* Notification letter.--A letter to the grantee is included in the package to the Administrator and requires his signature at the same time he approves the project by signing the approval block on the approval memorandum. The letter remains undated until the date on which the public announcement of the project is scheduled; and it is then dispatched in time to arrive on the scheduled announcement date. (See Figure VII-9 for general format and copy distribution.)

(2) Procurement Contracts.--The approval package for a procurement contract contains only the same first five documents as are listed for the grant contract package--approval memorandum (see example, Figure VII-8) legal report, labor determination, environmental-impact determination, and cash disbursement schedule.

The procurement contract approval package also includes a completed Procurement Request Form DOT 4200.1. (See example, Figure VII-10.) In addition, the package usually includes the detailed Statement of Work as an attachment to the Procurement Request; and, if a sole-source contract is being proposed, a statement of justification for such procurement is also attached. (See chapter XII for details on sole-source procurement.)

The difference in processing between a grant contract approval and a procurement contract approval is that

the grant contract approval means the project is ready for immediate execution of a grant contract and for a public announcement, while the procurement contract approval means it is only ready to go forward to the OST Procurement Operations Division (TAD-43) to begin the procurement contract process in accordance with the Federal Procurement Regulations (FPR) and the DOT Procurement Regulations (DOTPR).

When the procurement process reaches the point of contract award, it will be ready for public announcement; and the project manager will be so advised by the TAD-43 Contracting Officer. At that point, the project manager will prepare the press release draft and the notification-of-award form and send them forward (through URD-1 and UAD-10) to UPA for action on public announcement.

d. Administrator's Briefing.

When ready to submit a project approval package, the project manager shall arrange with the Associate Administrator (URD-1) to schedule a staff briefing for the Administrator, to discuss the following, as applicable:

* Nature and scope of the project and its contribution toward UMTA objectives

* Relationship to past or planned projects

* Project cost and other financial aspects

* Labor and environmental impacts

* Land acquisition and relocation features, if applicable

* Relationship to comprehensive planning in the project area, if applicable

* Any political, institutional, socioeconomic, or other considerations

The Chief Counsel may be invited to discuss the legal aspects, from his review of the project; and any other Associate Administrator may be invited to discuss aspects of the project within his area of interest.

e. Routing Approval Package.

When the approval package has been assembled, it will usually be routed for clearance as follows (and usually in this sequence):

UCR-1	Civil rights/community needs review; surname memo.
UCC-1	Legal review; surname memo; attach legal report.
URD-10	Experimental design review; surname memo.
URD-1	Signature on the approval memorandum and project budget, and surname on the letter and press release draft. Before routing to UAD for fund reservation, the Project Officer must designate the program account code number, which indicates the account to be charged in accordance with accounting requirements (Figure IV-12). This number should be entered at the bottom of the yellow file copy of the memorandum and the approval letter. (The same number will thereafter be put on requisitions, payment vouchers, and other documents which identify cost allocation of program funds. See section 4 of chapter VIII for details.)
UAD-10/20/1	Fund reservation and certification; financial management review; surname memo.
UPA-1	Press and Congressional relations review; surname memo.
UOA-10/2/1	Review and Administrator's approval signature on the memorandum (and date), and signature on the letter (but not dated).

The routing indicated here is the standard routing for approval packages, but the routing should also include other offices when the subject matter involves any activity for which those offices have responsibility, or which may affect their activities in some foreseeable way.

f. Holding for Approval Release Date.

When the Administrator has signed the approval documents, the entire package is returned--first to URD, where

the originating project manager's secretary conforms all distribution copies, but does not dispatch; then, it is hand-carried to UAD-10. If it is a package for procurement contract, then the Procurement Request is detached, and all copies of the memorandum and other documents are distributed. If it is for a grant contract, then the press release draft and the four distribution copies of the memorandum marked for UPA are routed to UPA for action on preparation of the final press release and Congressional notification. The remainder of the package is held by UAD-10 until notified by UPA of the scheduled announcement date. Meanwhile, UAD-10 also updates its various project information report records. On the scheduled release date the approval letter is sent out by UAD-10, and all copies of the memorandum and letter are distributed. One copy goes to UAD-41, for input to update the MACS data system.

g. Public Announcement of Award.

A public announcement (press release and Congressional notification) will be made for every grant award or contract award for $50,000 or more or for an increase to an existing project. For awards under $50,000, there will ordinarily be no public announcement except where UPA finds the award to be of significant national interest.

The basic documentation for the public announcement will be furnished by the project manager as part of the approval package he prepares for a new project or amendment to an ongoing project. The UPA portion of the approval package consists of the following:

(1) For projects with a Federal grant over $50,000, a draft press release should be prepared, consisting of not more than two double-spaced pages and prepared as an original plus three copies. This draft press release must be personally approved by the Associate Administrator (URD-1), who will so indicate by initialing and dating at the upper right-hand corner of the first page. If there is a special time constraint on the date by which the public announcement must be made, this should also be shown at the top of the first page, with a brief explanation. In this connection, project managers should be aware that the normal time frame for public announcement is five to seven days from the time the documentation leaves UMTA.

(2) The standard public affairs information form memorandum "Award of Contract or Grant" (also referred to as Attachment One), from the Administrator to the Director of

Public Affairs (S-80), may be seen in Figure VII-11. This form is submitted as an original plus three copies; it must be prepared for every project, regardless of size. It provides brief details on the project and indications of interest, intended both for the Secretary's information and for the purpose of arranging for the public announcement. Four copies of the project approval memorandum are also to be attached to the summary data sheet to provide fuller details.

(3) UPA Processing for Grant Contracts--When the Administrator approves the project (or amendment), the entire approval package is routed to UAD-10, which detaches the UPA portion of the approval package and sends it to UPA-10 for the necessary followup. At this time, UPA-10 will decide whether the approved project merits a separate announcement as a major project, or whether it should be kept for a periodic "wrap-up" release of a number of minor press announcements.

UPA-10 will prepare or edit the press release and submit it with the memorandum of notice of Proposed Award, etc., and the approval memorandum to the DOT Office of Public Affairs (S-80) for final announcement action (copies: original plus two). S-80 is responsible for Congressional notification and press release distribution, and establishing the award release date, usually no less than five workdays from the date it receives the announcement material from UPA. S-80 is also responsible for calling the Secretary's attention, as deemed necessary, to proposed awards before Congressional or press announcement.

(4) UPA Processing for Procurement Contract--There will be a full public announcement of contract awards of $50,000 or over; however, this does not follow immediately after the Administrator's approval. Only when TAD-43 advises that it is ready for the contract award does the project manager prepare the UPA materials (same as the UPA portion of the grant approval package). Thereafter, the same procedure is followed as described for grant projects.

h. Completing the Grant Contract.

The Office of Chief Counsel, Program Division (UCC-30) will prepare the grant contract as soon as possible after project approval, will clear it with the project manager, and will transmit three copies to the project sponsor for execution. The sponsor should sign--but not date--all copies and return them to UMTA within 30 days of their receipt. The signed

contracts shall be accompanied by an opinion (one copy only) of the sponsor's attorney regarding the sufficiency of the proceedings authorizing the applicant to enter into a grant contract and a certification concerning any legislation which may have been enacted subsequent to the legal opinion filed with the project application or any litigation, either pending or threatened, that could affect the completion of the project in accordance with the terms and conditions of the grant contract. UMTA should be advised promptly if the contract cannot be executed by the project sponsor within 30 days. When UCC-30 has reviewed the contract and the attorney's opinion, all copies will then be routed to UAD-10 to update the control record; from there they will be forwarded to URD-1 for signature, thereby completing the execution. When this has been accomplished, it will be returned to UAD-10, which will send one executed copy back to the sponsor and distribute the others to the project file, and to the Division of Financial Management (UAD-20). UAD-10 will also be furnished an extra copy, conformed, for its contracts reference book.

i. Amending the Grant Contract.

The instances where appropriate amendments may be made to existing contracts are as follows:

(1) Amendments to Cover Cost Overruns--These amendments do not involve any change in the elements of the project (e.g., buses, maintenance facilities, etc.) but are strictly a result of actual prices for an element of the project exceeding those prices anticipated at the time of the project approval.

(2) Amendments to Increase the Scope of the Project Described in the Original Contract--An application is submitted for a large project; but due to fiscal or other reasons, the project cannot be funded entirely at one time. Since the project is important to the urban transportation of the area, a part up to the limit of available funds is approved. When additional funds become available, the remainder or additional parts of the original application are included in the project by amendment.

(3) Amendments to Effect Minor Changes in the Scope of a Project--This type of amendment is comparable to a change order in the typical contract. It does not substantially effect the scope of the original project or contract but is used in such instances as increasing slightly the number of vehicles to be purchased, varying the size of vehicles to be purchased, altering the design of facilities or equipment, etc.

This type of amendment is advantageous in that it avoids the lengthy paper work and time which would be necessary for a new project.

Any request to amend the grant contract shall be submitted by the grantee by letter. A requested change in the project scope must be specifically identified and explained. Any request for a change in funding shall be accompanied by:

* A revised budget, in the same format as the original.

* An amended legal opinion.

* Evidence of the availability of appropriate local matching funds.

* An authorizing resolution or comparable document approved by the applicant's governing body.

If a project change does not require a contract amendment, or if a contract amendment does not involve an increase to the total Federal funding, such change may be authorized and executed by the Associate Administrator. If it requires additional Federal funds, then the processing is the same as for an original project approval.

9. PROCUREMENT CONTRACTING

a. General.

While UMTA now has a Procurement Analyst (UAD-43) to provide staff advice and assistance on contract matters, the procurement function for UMTA's contracting requirements is performed, under delegation of authority, by OST's Procurement Division (TAD-43). TAD-43 provides a full procurement office for UMTA; and its contracting officers represent UMTA in all procurement transactions. Subject to the limitations of authority in the Federal Procurement Regulations, and the DOT Procurement Regulations thereunder, contracting officers have authority to enter into formal contracts, authorize contract modifications, give informal contractual commitments, or otherwise bind, commit or obligate the Government contractually.

In all projects, the project manager is responsible for technical direction and monitoring; but in a procurement

contract project, this function is performed as the contracting officer's technical representative, so designated in writing. If any actions are required which will modify or amend the contract, the project manager may initiate such actions with the contracting officer. It is only the contracting officer who can formalize them and obligate the Government by an amendment. In matters of general contract administration, the project manager will be working closely with the contracting officer; and it is advisable that the contracting officer should also be afforded the opportunity to participate in all technical discussions with contractors or potential contractors when it is likely that a proposed contract, official contract interpretation, or change in terms of an existing contract will be discussed.

b. Methods of Procurement.

This section outlines briefly some of the principal elements of the procurement process in which TAD-43 functions on UMTA's behalf, and which program managers and project managers will find necessary or useful to know about in the consideration of new requirements and in the technical management of on-going contract projects. Specific procedures unique to sole-source contracts where the selection of firms to provide expert or consultant services are described in detail in chapters XII and XIII of this Handbook.

Procurements for the Federal Government are accomplished by either of two methods: by formal advertisement or by negotiation. These principal methods of procurement are distinguished by the manner in which the contract is awarded.

Formal advertised bidding consists of four distinct steps: the procurement is initiated by the issuance of an invitation for bids (IFB) which contains specifications describing the actual minimum needs of the Government; the submission of sealed offers by qualified bidders; a public opening of the sealed bids at a specified time; and, lastly, the award of a contract to the lowest responsible bidder whose bid conforms in all material respects to the requirements of the invitation for bids. Formal advertising normally employs the fixed-price type of contract.

Negotiation, on the other hand, does not involve a rigid set of formalized procedural steps and may be defined to include all legal methods of procurement other than formal advertising. However, care should be taken not to equate competition only with formal advertising, as negotiation is required to be competitive to the extent practicable. The process of negotiation usually entails a series of proposals, negotiations, and counter-proposals, in contrast to the "one-shot" procedure which characterizes formal advertisement. Negotiated contracts may be cost reimbursable, or any other type except cost-plus-a-percentage-of-cost.

Because of the nature of the work desired, most UMTA procurements for the RD&D programs are accomplished by means of the negotiation process; the presentation immediately following is tailored to such a method of procurement.

c. Negotiation Process.

(1) General--While formal advertising with a resulting fixed-price contract is the preferred method of obtaining supplies and services, there are circumstances where it is more feasible or practical to negotiate a contract. Federal Procurement Regulations establish the conditions which permit negotiation in lieu of formal advertising. For example, a contract may be negotiated when it is impracticable to develop detailed specifications as required for formal advertising. Another example is when it is impracticable to obtain competition because of only one source of supply. There are a total of 15 basic negotiation exceptions in the Federal Procurement Regulations.

(2) Source Selection--DOT Notice 4200.6, "Source Selection" prescribes specific procedures for soliciting, evaluating and selecting sources to perform major negotiated procurements for DOT. The provisions of the DOT Notice apply to each UMTA procurement which:

* Exceeds $500,000; or

* Does not exceed $500,000, but the source selected for contract award is likely to receive additional funding for a future phase or phases of the same project, and the aggregate amount of such funding (including the current procurement) would exceed $1 million; or

* Exceeds $250,000, and has for its principal purpose research, development, test or evaluation of a product or process that is likely to have wide-spread commercial application, usage, or sale.

With respect to lower-value procurements, use of this procedure is not mandatory; a less formal system may be used, preserving, however, the basic requirements for objectivity and selection by a multi-discipline group, including substantial representation outside the program office concerned.

Unless he chooses to delegate his authority with respect to a particular procurement, the Secretary or Under Secretary shall be the Source Selection Official (SSO) for any procurement at his option and these coming within the scope of the above three types of procurement:

* If the amount of the procurement is in excess of $2 million.

* If the aggregate amount of project funding would exceed $3 million.

* If the amount of the procurement for RDT&E, which is likely to have commercial application, is in excess of $500,000.

The SSO for all other UMTA procurements is either the Administrator or his Deputy. This authority may be delegated to the UMTA Associate Administrators or the Director of Civil Rights and Service Development if the proposed procurement does not exceed $1 million.

The source selection process involves three phases--solicitation, evaluation, and selection.

Solicitation. This phase involves the preparation of the Selection Plan, the preparation, approval and distribution of the request for proposals, and the preparation and submission of proposals by potential contractors. The RFP must be carefully prepared in order to generate competition that draws industry's best efforts toward achieving UMTA objectives. It should enable potential suppliers to compete on an equal basis and should include items such as scope of work, delivery schedules, type of contract, closing date, technical evaluation factors, and anticipated terms and conditions.

Evaluation. This phase involves the activities of the Source Evaluation Board (SEB), which provides the SSO with:

* A comparative assessment and scoring of the quality of the contract work proposed to be performed.

* An analysis of cost proposals, including an estimate of the probable cost for the various proposers to do the work.

* An assessment of any other factors the SEB considers pertinent.

Selection. This phase involves decisions by the SSO, who determines those proposers which are in the competitive range and selects the contractor for award.

The SEB's basic mission is to provide a sound basis on which the SSO can make an informed and objective choice of the companies with which final contract negotiations will be conducted and the contractor to be awarded the contract. The SSO shall select the SEB chairman and members. The SEB is required to exercise a high degree of judgment in establishing appropriate criteria and in

performing a comparative assessment to assist the SSO. Although arithmetical or other scoring systems are useful, the assessment of the SEB should represent its best collective judgment as to the relative merits of each company's proposal and capabilities of performing the proposed contract work.

The SEB shall assess the relative technical suitability of competing proposals, evaluate their relative cost, and identify other pertinent factors. In addition, the SEB shall review the contracts negotiated and recommended for possible award. The SSO shall select those proposers which are within the competitive range for contract negotiations and the contractor for award.

After making its review, the SEB shall present its findings to the SSO in the form of an oral presentation followed by a written report. The SEB shall submit its reports directly to the SSO prior to contract award.

Contract negotiations shall be conducted with all proposers within the competitive range as determined by the SSO, and the terms of proposed contracts for such purposes shall be definitized at this time. The SSO shall ultimately select the contractor and document the basis for his decision.

A complete presentation of the duties and responsibilities of the SSO and members of the SEB is contained in the DOT Notice 4200.6, which describes detailed procedures for the SEB review of the three phases of the source selection process.

d. Price Analyses.

A fundamental concept of Government procurement is that competition assures the receipt of a fair and reasonable price. The two techniques for ascertaining the reasonableness of price are known as price analysis and cost analysis.

Price analysis is performed in all cases where cost and pricing data is not required. Price analysis is the process of examining and evaluating a prospective price without evaluation of the separate cost elements or proposed profit of the prospective supplier.

A cost analysis involves a more detailed review and evaluation of a contractor's cost or pricing data and of the judgmental factors applied in projecting from the data to the estimated costs, in order to form an opinion on the degree to which the contractor's proposed costs represent

a fair and reasonable estimate, assuming reasonable economy and efficiency.

Cost or pricing data consist of all facts, capable of being verified, which can reasonably be expected to contribute to sound estimates of future costs as well as the validity of costs already incurred. For verification of these facts, the contracting officer may require the assistance of the DCAA, DOT, or UMTA audit staff. Thirty days are normally required for such audit review; in procurements over $100,000, audit verification is required.

e. Disclosure of Information Before Award.

During the interval between the mailing of requests for proposals (or quotations) and the making of awards, discussions of the procurement with the prospective contractors becomes a very sensitive subject. **Any** indiscreet or unauthorized discussions of this nature could result in protest of the award and, in some cases, cancellation of the procurement. At the very least, the results could be embarrassing to UMTA and the Procurement Office. As a general rule, no discussions should be held with any prospective contractor that might place (or appear to place) him in a preferential position with respect to the submission of his proposal. If it is necessary to discuss technical or other information with one or more offerors, it should be done with all offerors and then only by or with the concurrence of the contracting officer.

f. Review of Proposed Contract Awards.

All proposed contracts over $1,000,000 shall be reviewed by the Administrator. All proposed contract awards between $100,000 and $1,000,000 shall be reviewed by the Deputy Administrator. Both the required review and the subsequent report of the results of the review shall be made in accordance with DOT Notice 4200.7, "Review of Proposed Contract Awards." Source Evaluation Board Reports as required for certain negotiated procurements may be forwarded in lieu of the reports required by 4200.7.

The report of the preaward review, signed by the review official, shall be forwarded to the Secretary simultaneously with the notification of award required by DOT Order 1210.4, "Release of Information."

g. Information to Unsuccessful Bidders.

Under formally advertised procurements, unsuccessful bidders must be given a written notification of award, with the name of the successful contractor(s), and the audit price(s) or the total amount of the contract, whichever is appropriate. However, when numerous unit prices apply, thereby creating an extensive workload in furnishing this information, or where the total amount of the contract would not be meaningful, price information may be omitted. In the latter instance, the location where the abstract of bids is available for inspection must be stated.

Under negotiated procurements the unsuccessful offerors must be given written notification as to the successful offeror and the price(s) for which award was made. The prices of other unsuccessful offerors are not abstracted nor made known. Inquiries concerning unsuccessful bids should normally be referred to the contracting officer. Any required debriefings shall be given by or through the contracting officer in accordance with DOT Notice 4200.6, "Source Selection."

h. Types of Contracts.

Principally, the Government employs two types of contracts, fixed price and cost reimbursement. There are numerous variations of each type such as fixed price incentive, cost-plus-fixed-fee, cost sharing, and others; however, the most common types used in UMTA procurements are the firm fixed price, the cost-plus-fixed-fee and the labor-hour contract. The firm fixed-price contract places the total risk of performance on the contractor; the cost-plus-fixed-fee, or labor-hour contracts place the cost of performance risk on the Government with little or no risk on the contractor. The type of contract to be used is a decision made by the contracting officer and is based, among other things, on what is being procured. The type of contract that is prohibited for use by the procurement statutes is the cost plus a percentage of cost. This type of contract has the characteristic of increasing the profit by increasing the cost to the Government.

i. Small Business--Minority Contractors (8A Program).

It is the policy of the Government to aid, counsel, assist, and protect insofar as possible the interests of small business concerns. This policy is designed to preserve free competitive enterprise and to place a fair proportion of the total Government purchases and contracts--for both property and services--with small business concerns. Accordingly, UMTA

functions through its procurement agent (TAD-43) to afford small business concerns with an equitable opportunity to compete for prime contracts and subcontracts. Furthermore, section 8A of the Small Business Act of 1953 specifically encourages the use of minority-controlled firms in the procurement of goods and services. It is DOT and UMTA policy to cooperate in the 8A program by identifying proposed requirements which may be suitable for minority contractors. TAD-43 maintains a list of qualified minority firms and UCR will also assist UMTA in locating qualified firms for such projects. The project manager should work closely with both organizations.

j. Sole-Source Procurement.

While sole-source procurements should be avoided to the maximum extent possible, it is recognized that in certain circumstances a competitive solicitation is impracticable. To insure an impartial review of recommended sole-source procurements, a Sole-Source Board has been established within UMTA. The functions of this board and the procedures for sole-source procurement are described in detail in chapter XII of this Handbook.

k. Procurements of $2,500 or Less.

Pursuant to the Federal Procurement Regulations, procurements of $2,500 or less (called small purchases) shall be made by negotiation under the authority of 41 U.S.C. 252(c), except under special circumstances where it is clearly in the best interest of the Government to accomplish such purchases by formal advertising.

Requirements aggregating more than $2,500 shall not be broken down into several purchases which are less than $2,500 merely for the purpose of permitting negotiations, or utilizing the small purchase methods outlined herein.

Wherever and whenever possible, minority businesses (those owned, wholly or in part, by minority group persons) shall be provided the opportunity to be procurement sources.

A minimum of three sources from which the items desired may be procured shall be designated on the Procurement Request. These sources shall, if possible, be located in the local area.

For items requested on a sole-source basis, a justification must accompany the procurement request, setting forth reasons for the sole-source requirement.

1. Selection of Experts and Consultants, or Educational Institutions. (See also chapter XIII of this Handbook)

Where the most feasible method of accomplishing an RD&D study is by the selection of an educational institution or a firm to provide expert or consultant services to UMTA, it may be inappropriate (because of the nature of the work) or impractical (because of professional ethics) to base the selection on competitively solicited price proposals.

* A Source Selection Panel shall be designated by the contracting officer to assist him in evaluating and selecting an appropriate contractor. The Panel will consist of:

  -- The contracting officer or his representative who will act as chairman;

  -- A representative of the office requesting the contract;

  -- A representative of the Office of Chief Counsel; and

  -- Other technical support personnel, as needed.

* The Source Selection Panel shall develop evaluation factors to be applied to prospective contractors under consideration, which should generally include:

  -- Specialized experience and technical competence, applicable to the proposed work;

  -- Facilities available for the effort, and the capacity to accomplish the effort in the required time;

  -- Past record of performance on contracts with DOT or other Government agencies.

A list of qualified prospects shall be selected and ranked in order of technical preference. This will be only for the internal use of UMTA, and must not be made known to the sources under consideration nor to any other non-governmental source.

The contracting officer is then responsible for conducting the negotiations, and for the results thereof. Prior

to entering into any negotiations, the contracting officer must ascertain that the basis for the selection is fully documented. A proposal shall then be solicited from, and negotiations conducted with, the prospective contractor given first preference under the procedures set forth above. If a mutually satisfactory contract at a reasonable price cannot be negotiated with the top-ranked organization or institution, negotiations shall then be initiated with the one given second preference, and this procedure shall be continued until a mutually satisfactory contract has been negotiated.

Since these procedures provide for technical consideration of competitive sources, any contract which results will be considered as a contract through competitive procurement. Certain other contracts in excess of $2,500 are subject to the procedures prescribed in DOT Notice 4200.6, "Source Selection."

m. Contract Information System.

Information on contracts shall be reported routinely to the OST Office of Management Systems (TAD-251) for the following actions:

* All new contracts awarded which exceed $2,500.

* All active contracts not yet completed, where the cumulative value exceeds $2,500.

* Modifications to any of the above contracts which increase or decrease the obligated dollar value.

* Terminations and completions of active and new contracts.

Such reports will be furnished by the contracting officer (TAD-43) and all such reporting shall be made in accordance with DOT Order 1340.5A, "Reporting of Procurement Actions for Input to Department-Wide Contract Information System."

n. Unsolicited Contract Proposals.

(See DOT Order 4200.4, "Unsolicited Contract Proposals", for DOT policy. See also Subsection 5e of this Chapter, for processing of all RD&D proposals.)

In order to control the flow and properly handle proprietary data which may be included in unsolicited proposals,

the Office of Administration has been designated the central receiving office to maintain records showing the receipt and status of all unsolicited proposals.

It is the DOT policy that all unsolicited proposals shall be processed and evaluated expeditiously. If it is determined that a submitted proposal meets the criteria set forth in paragraph 6i of DOT Order 4200.4, and is accepted as a proposal, a prompt, thorough and objective evaluation is required. If final evaluation cannot be accomplished promptly, the submitter shall be so notified.

All documents which appear to be unsolicited RD&D proposals shall be forwarded to the UMTA mail room in UAD-10, whether received by mail or hand delivered. UAD-10 will time-stamp the submittal, assign a project number, log it in, acknowledge it, prepare a New Proposal Summary, set up a file, and forward it to the Procurement Contract Analyst (UAD-43) for proprietary data review. If the proposal does not involve proprietary data, UAD-43 shall so note on the New Proposal Summary, and forward the file to URD-10 for further action. If the proposal needs, but noes not contain, a proprietary rights disclaimer, UAD-43 will note this on the New Proposal Summary, write to the submitter requesting a waiver of proprietary rights or clarifying information, and forward the file to URD-10 with a copy of his letter. When a disclaimer is received, URD-10 will obtain technical staff review of the submittal to determine whether it meets the criteria for a comprehensive technical evaluation. If not, the submittal may be considered and handled as correspondence or advertising. In such cases, a reply to the submitter will be prepared promptly, indicating how the submittal is being interpreted, including the reasons for this decision.

If a detailed evaluation is to be made of the proposal, the submitter will be notified by URD of final action, or given an interim reply within 60 days.

If, after the detailed evaluation, it is determined that a contract should be negotiated on the basis of the proposal, or that competitive proposals should be solicited to attain the same or similar results as suggested by the submitter, appropriate procurement action will be initiated with the assistance of TAD-43.

10. PATENTS AND COPYRIGHTS

The patent policy of DOT and UMTA is governed by the President's Memorandum of August 23, 1971, updating the Statement of Government Patent Policy issued in 1963 (see Appendix 8 for text of the Memorandum and Statement). This revision is based on recommendations by the Committee on Government Patent

Policy. In general, the new patent policy permits greater flexibility on the part of Government agencies in negotiating patent rights provisions with contractors.

The 1971 Government Patent Policy provides heads of Government agencies with additional authority to permit contractors to obtain greater than nonexclusive rights to inventions (including exclusive and royalty-free licenses to patent rights in inventions) developed in the course of performance of Government contracts or grants. Prior to the granting of greater rights, a determination must be made by the agency head that either greater rights are necessary to achieve utilization of the inventions or that there exists equitable circumstances which would justify the allocation of greater rights.

In an effort to make the benefit of Government-sponsored inventions more readily available to the public, more extensive guidance is provided in the 1971 Memorandum to assist agencies in determining the proper patent policy to adopt in order to promote the use of these inventions. For example, where the Government retains exclusive patent rights to an invention, it may grant a contractor an irrevocable, nonexclusive royalty-free license to practice the subject invention throughout the world, or it may grant to a contractor an exclusive license when such grant is determined necessary to commercialize the invention.

Another innovative provision in the 1971 Memorandum is a clarification and expansion to make available to States and domestic municipal governments those patent rights in inventions in which the Federal Government acquires a license. Interests in patent rights for the benefit of States and domestic municipal governments should be considered by the Government in negotiating for patent rights with contractors.

In order to develop a more definitive base for evaluating the administration and effectiveness of this 1971 Government Patent Policy, each Government agency is instructed to record the basis for actions taken with respect to inventions and appropriate contracts made under this Memorandum.

This new patent policy gives greater flexibility to UMTA in determining appropriate patent rights under its grants and contracts.

As a general rule, most inventions resulting from contracts and grants awarded under UMTA's Research, Development

and Demonstration Program fall within the category of Section 1(a)(1) of the President's Memorandum, "(a) Where (1) a principal purpose of the contract is to create, develop, or improve products, processes, or methods which are intended for commercial use (or which are otherwise intended to be made available for use) by the general public at home or abroad, or which will be required for such use by governmental regulations." Thus, UMTA should properly contract to acquire the patent title rights to these inventions. Under normal conditions, the developing contractor would retain a nonexclusive license to make, use, or sell the subject invention.

According to the President's Memorandum, certain circumstances justify the granting to a contractor of greater patent rights than a nonexclusive license. Examples of situations in which it is proper to grant such greater rights to the contractor are set forth below:

a. At the time of contracting, the department head has determined that such action is in the best interest of the public.

b. After the invention has been identified, the department head has determined that such action is a necessary incentive to favor private risk capital and expenses to bring the invention to the point of practical application. Before this determination is made, a reasonable effort should be made to encourage contractors, other than the developing contractor, to manufacture such invention.

c. After the invention has been identified, the department head has determined that the Government's contribution to the invention is small compared to that of the contractor.

    (1) The contractor has the burden of demonstrating the extent of its contribution.

    (2) The contractor's contribution may include any of the following:

        (a) Precontract investment in the development of the invention.

        (b) Financial contribution to the project in a type of cost-sharing arrangement.

d. Where an identified invention made in the course of or under the contract is not a primary object of the contract.

Standard contract provision.--The following standard provision is included in all grant contracts (and it is also applicable to procurement contracts):

> "Sec. 5. Patent Rights--In the event that any invention, improvement or discovery may be conceived or first actually reduced to practice by the Public Body or its consultants or employees, or by any contractor working for or under direction of the Public Body, or employees or consultants of such contractor in the course of or under this Contract, DOT shall promptly be given written notice thereof, which notice shall include complete information concerning the invention, improvement or discovery. Any such invention, improvement or discovery, together with all information, designs, specifications, know-how, patent rights and findings in connection therewith which arose or were developed in the course of the performance of this Contract or any subcontract hereunder, shall be made available to the public through dedication, assignment to the Government, or such other means as the Secretary of Transportation shall determine.
>
> "The Public Body agrees (1) to cooperate in the preparation and prosecution of any domestic or foreign patent applications which the Government may decide to undertake covering any such invention, improvement or discovery, (2) to execute any and all papers and other documents requisite to prosecuting such patent application and making the same available to the public by assignment to the Government, dedication or otherwise, and (3) to secure the cooperation of technical personnel (including employees, consultants and contractors) working for or under the direction of the Public Body in connection with this Contract, in the preparation and execution of all such papers as may be required in the prosecution of such patent applications and the disposition of rights thereunder pursuant to this Section.
>
> "The Public Body shall disclose, in the final report herein provided for, all inventions, improvements and discoveries developed in the performance of this Contract or in any subcontract hereunder, and shall certify on the last page of such report that to the best of its knowledge and belief such disclosure has been made therein.

"The Public Body shall require provisions, satisfactory to DOT appropriate to effectuate the purposes of this section in all contracts entered into by it with any person, firm, corporation or association whose services or undertaking are to be paid for in whole or in part with funds to be furnished by the Government under this Contract."

Copyright and rights in data--standard contract provision.--UMTA's policy on copyrights and rights in data, with respect to research reports and other technical materials developed with program funds, is stated in the following standard provision of the grant contract (and also applicable to projects under procurement contract):

"Sec. 6. Publication, Reproduction, and Use of Project Reports--All published reports, data and other materials prepared as part of the Project, except those prepared exclusively for the internal use of the Public Body, shall contain an appropriate notice of the Grant provided by DOT under this Contract. No such publication shall be made without the written consent of DOT; and such materials shall not be subject to copyright in the United States or in any other country. The Government shall have unrestricted authority to publish, disclose, distribute and otherwise use in whole or in part, any reports, data, or other materials prepared with Project Funds."

INSTRUCTIONS FOR PREPARING "STATUS REPORT ON RD&D PROJECTS"

The "Status Report on RD&D Projects" serves several purposes. Its primary function is to inform the Secretary monthly about progress made on each project. The collection of reports, however, is also very useful in justification of budgets and other presentations of the RD&D program. An important by-product, beginning with FY 1974, will be automatic production of annual supplements to the Directory of UMTA RD&D Projects.

The entire text, except for the "Recent Progress" and "UMTA RD&D Funding" sections, will be recorded on Redactron magnetic typewriter cards. For this reason, adherence to the format set forth below is particularly important.

It is highly desirable to confine each report to two pages.

If possible, changes and up-dated material should appear only in the "Recent Progress" and "UMTA RD&D Funding" sections.

The following format is to be used:

Main Title:

JULY 1972
STATUS REPORT ON UMTA RD&D PROJECTS
(Active)

The date, of course, will be changed each month, and some projects will be designated "Planned." Typists will program the Redactron accordingly.

Project: Provide a short title. Use descriptive terms. Do not use acronyms or technical jargon.

Contractor: Name and city location of contractor or grantee.

Urban Area Affected: (When appropriate)

Recent Progress: This section is the heart of the progress report and should be made conspicuous by enclosing it in a box. Typists should use black pencil; blue ink is not reproduced photographically.

The text should indicate what has occurred during the previous month that might be of interest to the Secretary. Especially important are any developments that could significantly affect project schedule, total project cost, or attainment of technical objectives.

Figure VII-1--RD&D Reports to the Secretary
(Page 1 of 5)

Objectives: List briefly the key technical objectives of the project (i.e., in effect, explain why we are doing this particular project).

Impact: State the objectives beyond the scope of this particular project: long-range objectives or potential consequences if this project is successful and its results are implemented.

Method: Describe the method of work employed on the project: the research design, whether questionnaires are used, the type of demonstration, statistical methodology, etc.

Project Schedule: List events and dates. Start date and expected completion date of work on project must be included. At least one additional event or measure of accomplishment should be included.

Background: Place the project in the context and perspective of the over-all UMTA objective. Describe the general problem to which the project is addressed. Explain its relationship to other similar RD&D projects.

UMTA RD&D Funding: In thousands of dollars, list amount provided (and to be provided through project completion) by fiscal year and total project cost at completion.

Project Manager: Give full name, office symbol, telephone extension. Place at bottom of last page.

The project number (old and new) should be on each page on the next to the last line at the left margin; the budget line-item number should appear on the lower right side.

On the last line at the left margin, pages should be numbered, each project treated as an entity, and the total number of pages of each project should also be recorded (e.g., 1 of 1 page, 1 of 3 pages, 2 of 3 pages, etc.)

Uniform type should be used: twelve pitch IBM Selectric typewriter using either Prestige Elite 72 or Courier 12 type elements.

A sample illustrating these instructions is attached.

Each progress report should have an attachment (which will be removed before the report leaves URD) describing any adverse

circumstances affecting the project. It should be presented in the following format.

Problem: Describe any significant problem encountered or expected. Use a separate sheet for each significant problem, if necessary. If no major problems, enter "No significant problems" and do not complete the balance of the form.

Significance: What effects or consequences result from the problem? Why is it significant?

Action Required: If a decision or other action by the Associate Administrator for Research, Development and Demonstrations or the Administrator is required to resolve the problem, indicate the action required and how it will aid in solving the problem (unless self-evident). If a decision is needed, begin with "Decision regarding...."

Options and Impact of Each: List at least two major options open and indicate the probable result of choosing each.

Prognosis: Give your estimate of what is likely to happen in cases where solution to the problem is outside UMTA's control. How is the problem likely to be resolved?

Sample

MAY STATUS REPORT ON UMTA RD&D PROJECTS
(Active)

Project: Vandalism and Passenger Security (VAPS)

Urban Area Affected: None

Contractor: American Transit Association
Washington, D. C.

Recent Progress:

1) Interviews for national study of vandalism essentially complete.
2) Demonstration projects reviewed and accepted by joint ATA-IRT executive committee - December 1971.
3) Crime and vandalism statistical analysis plan prepared and being executed - April 1972.
4) Total national vandalism cost determined to be $9 million; less than 1% transit expenses.

Objectives: 1) Establish the true national cost of transit property vandalism.

2) Summarize and evaluate types of anti-vandalism and passenger security campaigns, techniques, and hardware.

3) Determine the suitability of private policy for transit property protection as compared to public.

4) Design tests to demonstrate the potentially effective elements of 2) and 3) for reducing vandalism and reversing the decline in transit passenger security.

Impact: Determine (1) the most effective methods to counteract vandalism to transit property, (2) the effectiveness of anti-valdal methods and vandal-resistant hardware, and (3) the value of these means through comparison of their cost to the costs of continued vandalism and declines in passenger security.

Project Number: DC-RDG-3 Budget Line Item: 1.361

1 of 2 pages

Figure VII-1--RD&D Reports to the Secretary
(Page 4 of 5)

Approach: 1) Assess national vandalism cost through detailed interviews with 25 largest transit systems and mailed questionnaires to others.

2) Generate and evaluate promising demonstration projects through joint committee of American Transit Association (ATA) and Institute for Rapid Transit (IRT).

3) Conduct demonstrations to form basis for recommendations in final report.

Project Schedule:

Grant Award	May 1971
Conduct national study of vandalism	May 1971 - March 1972
Select and arrange demonstration project content and location	May 1971 - June 1972
Conduct demonstration projects and evaluations	Dec 1971 - April 1973
Issue summary report	May 1973

UMTA RD&D Funding (thousands)	FY 71	Total
	$194	$194

Background: Since 1965, the incidence of vandalism to transit property has increased dramatically and has shown no tendency to level out. Since 1950, ridership on public transit has continued to decline for many reasons. One serious one is the economic decay of the cities and the accompanying, and probably related, decline in passenger security on mass transit.

This study and associated demonstration projects are intended to uncover the national effects of vandalism and reduced passenger security upon transit company economics and operations, and to produce recommendations for effective and economic actions to alleviate the problem.

Project Manager: Philip H. Morgan,URD-21 Telephone: 6-4035

Project Number: DC-RDG-3 Budget Line Item: 1.361

2 of 2 pages

Figure VII-1--RD&D Reports to the Secretary
(Page 5 of 5 pages)

Urban Mass Transportation Administration
RD&D PROGRAM
NEW PROPOSAL SUMMARY SHEET

I. TO BE PREPARED BY UAD-10

PROJECT NUMBER: _____
PROJECT TITLE: _____
SUBMITTER:
ORGANIZATION: _____
DESIGNATED CONTACT: _____
PROJECT DESCRIPTION:

_____

PROJECT LOCATION:
CITY OR COMMUNITY: _____ STATE: _____
POPULATION OF CITY OR COMMUNITY: _____ SMSA: _____
CONGRESSIONAL DISTRICT:

ESTIMATED PROJECT BUDGET:

UMTA FUNDS: _____
OTHER FEDERAL FUNDS: _____
LOCAL FUNDS: _____
TOTAL FUNDS:

DATE RECEIVED BY UMTA: _____ ACKNOWLEDGMENT LETTER SENT: _____

FORWARDED TO UAD-43 FOR PROPRIETARY DATA REVIEW:

II. TO BE PREPARED BY URD-10

RECEIVED IN URD-10: _____

PROPRIETARY DATA: __DISCLAIMER NOT REQUIRED
__DISCLAIMER REQUESTED: _____
RECEIVED: _____

REVIEW OF PROPOSAL:		
PROJECT MANAGER	TECHNICAL ANALYSIS	SYSTEMS ANALYSIS
TO: _____ DATE: _____	TO: _____ DATE: _____	TO: _____ DATE: _____
COMMENTS RECEIVED:	REPORT RECEIVED:	REVIEW COMPLETED:

UMTA ACTION ON PROPOSAL
__REJECTED/LETTER SENT: _____
__ACCEPTED FOR FURTHER CONSIDERATION/LETTER SENT: _____
__OTHER ACTION:

III. TO BE PREPARED BY UAD-10

Date Completed Review File Received by UAD-10: _____
Date Proposal Summary Received by UAD-41: _____

Figure VII-2--New Proposal Summary Sheet

(REVISION PENDING)

UMTA FORM 1 (7-68)

Form approved
Budget Bureau No. 63-R1070

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
FORMAL PROPOSAL
~~APPLICATION~~
FOR RD&D
MASS TRANSPORTATION ~~DEMONSTRATION~~/GRANT CONTRACT

FOR DOT USE

PROJECT NO.

RECEIVED

1. APPLICANT *(Exact legal name given in charter, authorizing legislation, etc.)*

2. PROJECT LOCATION *(City or urban area which is center of proposed demonstration)*

3. PROJECT DESCRIPTION *(Brief description of proposed project)*

4. FEDERAL GRANT AND ESTIMATED PROJECT COST *(From* UMTA FORM 4)

Federal Grant requested . . . . . $

Non-Federal contribution. . . . . _____

Total estimated project cost. . . $

5. ESTIMATED DURATION OF PROJECT *(including preparation of final project report)*

_____ MONTHS

6. THE APPLICANT REPRESENTS THAT THE DATA IN SUPPORT OF AND CONSTITUTING A PART OF THIS APPLICATION ARE TRUE AND CORRECT.

_____

(Signature of Applicant's Representative) *(Title)* *(Date)*

Figure VII-3--Proposal for RD&D Grant

(REVISION ~~PENDING~~) UMTA FORM 2 (7/68)

Form approved
Budget Bureau No. 63-R1070

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
RD&D GRANT ~~DEMONSTRATION~~ PROJECT BUDGET

PROJECT NO.

ESTIMATED DURATION OF PROJECT
MONTHS

APPLICANT

LINE	DESCRIPTION	PRESENT BUDGET *Use only if this is a request for revision* (1)	REQUESTED BUDGET (2)	APPROVED BY HUD (3)
1	Staff salaries *(from schedule A)*			
2	Employee benefits *(from schedule A)*			
3	Travel *(from schedule A)*			
4	Other administrative costs *(from schedule A)*			
5	Service improvement costs *(identify by carrier or line)*			
6	Construction or rental contracts *(identify)*			
7	Consultant contracts *(identify consultant or purpose)*			
8	Other project costs *(identify)*			
	Printing project report (copies)			
9	SUB-TOTAL			
10	Contingencies			
11	TOTAL PROJECT BUDGET			

REQUEST: Approval is requested in the amounts shown in Column 2 — DATE OF REQUEST

SIGNATURE — TITLE

APPROVAL: Budget approved in the amounts shown in Column 3 — DATE OF APPROVAL

Department of Transportation, Urban Mass Transportation Administration, by — TITLE

Authorized DOT Official

Figure VII-4--RD&D Project Budget (Grant Contract)

Form approved
Budget Bureau No. 63-R1070

UMTA FORM 3 (7/68)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

BUDGET SCHEDULE A - ADMINISTRATIVE EXPENSES
RD&D GRANT PROJECT

PROJECT NO.

DATE OF BUDGET REQUEST

BUDGET LINE 1. STAFF SALARIES POSITION TITLE	% TIME ON PROJECT	ANNUAL SALARY RATE	AMOUNT REQUESTED IN BUDGET	DISTRIBUTION BY PROJECT YEAR 1ST YEAR	2ND YEAR	3RD YEAR
TOTAL STAFF SALARIES			$	$	$	$

If salary rates are fixed by law or civil service regulation, so indicate. Otherwise, indicate basis for salary determinations. If the time of any employee is to be prorated, indicate basis for proration.

BUDGET LINE 2. EMPLOYEE BENEFITS (*percent of Budget Line 1)*

If employee benefits paid by applicant are fixed by law, civil service regulation, or contract, so indicate. Otherwise, identify benefits covered by this item.

TOTAL EMPLOYEE BENEFITS	$	$	$	$

Figure VII-5--Budget Schedule A--Administrative Expenses
(Page 1 of 2)

BUDGET LINE 3. TRAVEL	AMOUNT REQUESTED IN BUDGET	DISTRIBUTION BY PROJECT YEAR		
DESCRIPTION AND PURPOSE OF TRAVEL *(By Categories)*		1ST YEAR	2ND YEAR	3RD YEAR
TOTAL TRAVEL	$	$	$	$
BUDGET LINE 4. OTHER ADMINISTRATIVE COSTS. All other administrative costs to be incurred by the applicant and charged to the project must be specifically identified below.				
TOTAL OTHER ADMINISTRATIVE COSTS				

Figure VII-5 (Page 2 of 2)

UMTA FORM 4 (7/68)

Form approved
Budget Bureau No. 63-R1070

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

BUDGET SCHEDULE B - SOURCE OF FUNDS
RD&D GRANT PROJECT

PROJECT NO.

DATE OF BUDGET REQUEST

LINE	SOURCE		AMOUNT
1	Federal Grant		$
2	Non-Federal Contribution		$
	SOURCE OF NON-FEDERAL CONTRIBUTION	*AMOUNT*	
3	Applicant's Cash Contribution to Project	$	
4	Applicant's Non-Cash Contribution *(identify)*	$	
5	Sources Other Than Applicant *(identify)*	$	
6	TOTAL FUNDS AVAILABLE *(Must equal Budget Line 11, Total Project Budget)*		$
7	Cite evidence that the Non-Federal contribution is now available for commitment; or that it will be available when required to match payments of the Federal Grant.		

Figure VII-6--Budget Schedule B--Source of Funds

RESOLUTION

Resolution No. _____

Resolution authorizing the filing of a proposal with the Department of Transportation, United States of America, for a grant contract under the Urban Mass Transportation Act of 1964, as Amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as Amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder:

NOW, THEREFORE, BE IT RESOLVED by (Governing Body of Applicant)

1. That (Designated Official) is authorized to execute and file a proposal on behlaf of (Exact Legal Name of Applicant) with the U.S. Department of Transportation, to aid in the financing of (Brief Description of Project).

2. That (Designated Official) is authorized to execute and file with such proposal an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That (Name of Authorized Representative), (Title), is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the proposal or the project.

Figure VII-7--Sample Resolution and Certification
(Page 1 of 2)

CERTIFICATE

The undersigned duly qualified and acting (Title of Officer) of the (Exact Legal Name of Applicant) certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the (Governing Body of Applicant) held on _____, 196_.

If applicant has an official seal, impress here.

_____
(Signature of Recording Officer)

_____
(Title of Recording Officer)

_____
(Date)

Figure VII-7--Sample Resolution and Certification
(Page 2 of 2)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to: (Project No.)

SUBJECT: (Brief project title)

FROM : Associate Administrator for Research, Development and Demonstration

TO : Administrator

1. Grant Contractor: (Name and address)
or
1. Procurement Contract: (Type of procurement request--open competitive or sole source, or other. If sole source, attach a justification statement.)

2. Project Objectives: (Why is this project needed, and what does the the project expect to find out?)

3. Project Description: (Scope of work to be done; phasing, time schedule, and milestones; methodology; management; experimental design considerations.)

4. Project Budget and Financing:

   a. (Total estimated cost; Federal funds; non-Federal funds; cost-sharing considerations.)

   b. (Disbursement schedule--by quarter for the current fiscal year, and by year for the balance of the project. This schedule may either be included here, or as an attachment.)

5. Discussion: (Background information; how the project fits into the RD&D Program and Funding Plans; relationship to previous and on-going RD&D in UMTA and elsewhere; potential impact on state-of-the-art, transit system operations, improvement for the transit disadvantaged, and other areas.)

6. Legal Determination: The legal report is attached. It states that both the project and the applicant are eligible under Section 6 of the Act.

7. Labor Determination: The attached letter from the Department of Labor, dated _____, sets forth the provisions to be included in the grant contract to protect employees as required by Section 13(c) of the Act.

OR

No labor determination is required, since operations are not a part of the project.

Figure VII-8--Sample Approval Memorandum
(Page 1 of 2)

8. Environmental Impact: In accordance with the Environmental Policy Act of 1969 and implementing directives, it is determined that the proposed (grant)(procurement) contract will not have a significant impact on the environment.

OR

On the basis of public hearings and other reviews required in accordance with the Environmental Policy Act of 1969 and implementing directives, it is determined that while this project may have a significant impact on the environment, such impact will be beneficial to the environment. The Environmental Impact Statement is attached.

9. Recommendations: I recommend approval of the project, with a Federal commitment of $ _____, as provided in the FY ___ Funding Plan.

I also recommend your finding that this project will assist in the reduction of urban transportation needs, the improvement of mass transportation service, or the contribution of such service toward meeting total urban transportation needs at minimum cost.

Robert A. Hemmes

Attachments

I have reserved $_____ for this project.

_____
Harriet Hawkins, UAD-10

APPROVED:

_____
C. C. Villarreal, Administrator

Date:_____

cc: UMTA File
URD-1
URD Chron
UOA-1
UCC-1
UAD-30
UPA-1 (3)
UPO-1
UPP-1
UAD-20
TAD-43 (for procurement contracts)

Figure VII-8 (Page 2 of 2)

Re: (Project No.)

Mr. **********
Commissioner
Department of Transportation
Street
City, State

Dear Mr. *******

I am pleased to inform you of the approval of your application for a Federal grant of $_____ to conduct an urban transportation (RD or D study/project). You will soon receive a formal grant contract for execution. Meanwhile, you may begin activities and incur expenses chargeable to the project budget.

The project will (briefly describe the purpose and objectives of the project). The project must be carried out as described in the application, including work statement and attachments, and must conclude with a final technical report.

Enclosed is a copy of the approved project budget. Also enclosed are two copies each of the Procedural Guide and Project Accounting Procedures. These cover reporting requirements and other management considerations in addition to those outlined in the application.

Sincerely,

C. C. Villarreal
Administrator

Enclosures

cc: UMTA File
URD-1
URD Chron
UOA-1
UCC-1
UAD-30
UPA-1
UPO-1
UPP-1
UAD-20

Figure VII-9--Sample Letter of Notification

EXAMPLE

READ INSTRUCTIONS ON REVERSE *NO CARBON REQUIRED* PAGE 1 OF PAGES

DEPARTMENT OF TRANSPORTATION

PROCUREMENT REQUEST PROCESS RAPIDLY

PROCUREMENT REQUEST NO.

DATE RECEIVED

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT

Project Manager

3. ORIGINATING OFFICE DATA

Project No.

4. ADDITIONAL INFORMATION (*Suggested supply sources, security data, etc.*)

2. TYPE OF REQUEST (*Check one*)

A. [X] NEW REQUEST

B. [ ] CHANGE TO PENDING PR NO. _____

C. [ ] MODIFICATION TO CONTRACT OR ORDER NO. _____

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER C. C. Villarreal	UOA-1			
Robert A. Hemmes	URD-1			
(2) ACCOUNTING CERTIFICATION OFFICER W. H. Boswell	UAD-1			
(3)				
(4)				

6. CONSIGNEE AND DESTINATION

Originating Division in URD-1

7. DATE(S) REQUIRED

8. GOVERNMENT FURNISHED PROPERTY

[ ] YES [ ] NO (*If "YES," see par. 8 of Instructions on reverse.*)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM OR SERVICE (*Include Specifications and Special Instructions*) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
Post-Transpo test program for contractor of PRT System I at Dulles				65,000

TOTAL ESTIMATED COST $ 65,000

10. ACCOUNTING DATA

69 X 4119 34.01.10.00

FORM DOT F 4200.1 (3-71)

Figure VII-10--Procurement Request

EXHIBIT_____

Date_____

SUBJECT: Award of Contract or Grant

FROM: _____

TO: Director of Public Affairs, S-80

I have approved the following contract or grant

CONTRACT OR GRANT NUMBER: _____

ADMINISTERED BY: _____

NAME/ADDRESS OF CONTRACTOR OR GRANTEE:

_____

_____

_____

AMOUNT: _____ AMOUNT PREVIOUSLY OBLIGATED_____

SUMMARY OF WORK TO BE PERFORMED: (Include enough information to clearly describe the work to be done. In addition, attach the detailed copy of the statement of work):

_____

_____

_____

_____

_____

_____

_____

PLACE(s) OF PERFORMANCE: _____

_____

PROJECT OFFICER AND EXTENSION: _____

WILL THE CONTRACT OR GRANT INCLUDE R & D FUNDS?_____

Figure VII-11--Award of Contract or Grant
(Grant Notification Form)
(Page 1 of 2)

IF A CONTRACT--

A. ADVERTISED OR NEGOTIATED?_____

B. COMPETITIVE OR SOLE SOURCE?_____
(If sole source, attach justification)
(If competitive, identify by attachment the bidders or offerors and their proposed prices. If a technical evaluation was required, also identify offerors determined to be capable of performing the required work.)

C. IS AWARD TO BE MADE TO THE LOW BIDDER, OR TO THE LOW OFFEROR DETERMINED TO BE CAPABLE OF PERFORMING THE WORK?_____
(If award is not being made to such a low bidder or offeror, attach a justification for the proposed award.)

D. HAS A PROTEST AGAINST AWARD BEEN FILED, OR IS ONE EXPECTED TO BE FILED?_____
(If affirmative, submit details on an attachment)

IF A GRANT--

A. Include as an attachment information on the grantee's capability to administer the grant, e.g., results of pre-grant award surveys, prior experience in handling Federal funds, results of recent audits, etc.

PRIOR CONGRESSIONAL INTEREST BY:_____

_____

CONGRESSIONAL NOTIFICATION TO:

Senator's Name, Party and Extension:_____

Senator's Name, Party and Extension:_____

Representative's Name, Party and Extension:_____

Representative's Name, Party and Extension:_____

Representative's Name, Party and Extension:_____

Chapter VIII
Research, Development and Demonstration Program (Project Management)

		Page
1.	Responsibility for Project Administration and Supervision	VIII-1
	a. UMTA Project Manager's Responsibility	VIII-1
	(1) Active Project Status Report	VIII-2
	(2) Project Disbursement Record	VIII-2
	(3) Project Budget Report	VIII-2
	(4) Project Milestone Report	VIII-2
	(5) Project Report History	VIII-2
	b. Project Sponsor's Responsibility	VIII-2
2.	Establishing the Project Account	VIII-3
3.	Protection of Project Funds	VIII-3
4.	Coding Documents for Program Accounting Cost Allocation	VIII-4
5.	OMB Clearance of Report Forms and Survey Questionnaires	VIII-5
6.	Field Inspection of Project Work	VIII-6
	a. Frequency of On-site Inspections	VIII-6
	b. Interim Inspections	VIII-7
	c. Contact with Secretarial Representative	VIII-7
	d. Utilization of DOT Field Contract Inspection Staffs	VIII-7
7.	Project Payments	VIII-8
	a. Grant Projects	VIII-8
	b. Procurement Contract Projects	VIII-9
8.	Third-Party Contracts	VIII-10
	a. Introduction	VIII-10
	b. General Provisions	VIII-11
	(1) Competitive Bid Requirements	VIII-11
	(2) Negotiated Procurement--Contracts for Professional and Consulting Services	VIII-14
	(a) Profit	VIII-15
	(b) Overhead	VIII-15
	(3) Work Performed by Grantee's Force Account or Agreements with Another Public Agency	VIII-16
	(4) Grantee Use of GSA Sources of Supply and Services	VIII-16
	(a) Policy	VIII-17
	(b) Responsibilities	VIII-17
	c. Pre-Award Analyses and Review	VIII-18
	(1) Administrative Requirements	VIII-18
	(2) Additional Requirements--By Type of Contract	VIII-19

(a) Construction Contracts..... VIII-19
(b) Professional and Consulting Services Contracts..... VIII-24
(c) Equipment Contracts..... VIII-24
(3) Pre-Award Review..... VIII-24
(a) Technical Review..... VIII-25
(b) Administrative Review..... VIII-25
d. Third-Party Contract Review Board..... VIII-26
e. Relocation Assistance and Local Acquisition..... VIII-27
f. Acquisition of Other Property..... VIII-28
g. Contract Award..... VIII-28
(1) Post-Award Check List..... VIII-29
h. Contract Amendment or Change Order..... VIII-30
i. Audit of Third-Party Contracts..... VIII-31
(1) Responsibilities..... VIII-31
(2) Procedures..... VIII-32
(a) When Federal Auditors are to be Used..... VIII-32
(b) When an Independent Public Accountant is to be Used..... VIII-33
9. Project Report Requirements..... VIII-34
a. Financial Reports..... VIII-34
(1) Monthly Statement of Financial Condition..... VIII-34
(2) Monthly Contract Status Report (Third-Party Contracts)..... VIII-35
(3) Routing and Review of Financial Reports..... VIII-35
b. Progress Reports..... VIII-35
(1) Monthly Progress Report..... VIII-35
(2) Quarterly Report..... VIII-36
(3) Submission of Reports..... VIII-36
c. Final Project Report and Interim Technical Reports..... VIII-36
(1) Review and Approval of Final Report.. VIII-36
(2) Acknowledgement and Disclaimer Statement..... VIII-37
(3) Copies Furnished..... VIII-37
10. Retention of Records--Access to Records..... VIII-38
11. Audit of Projects..... VIII-39
a. Audit Responsibility..... VIII-39
b. Audit Policies and Criteria..... VIII-40
c. Flow of Audit Reports..... VIII-41
d. Determining Need for Audit of Contract and Interagency Projects..... VIII-42
(1) Government Contracts Awarded by DOT.. VIII-42
(2) Interagency Agreements..... VIII-42

Chapter VIII (Cont'd)

12. Use and Disposition of Property..... VIII-42
13. Project Completion and Closeout..... VIII-44
a. Project Completion Criteria..... VIII-44
b. Project Closeout..... VIII-45
(1) Grant Contract Closeout..... VIII-45
(2) Procurement Contract Closeout..... VIII-45
(3) Interagency Agreement Project..... VIII-45

CHAPTER VIII

List of Figures

Figure No.	Title
VIII-1	Program Accounting Codes
VIII-2	Compliance Survey of Contractors
VIII-3	Compliance Survey of Sponsors
VIII-4	Construction Inspection Report
VIII-5	Requisition for Grant Payment
VIII-6	Check-off Review Form
VIII-7	Transmittal Memorandum
VIII-8	Public Voucher for Purchases and Services Other Than Personal
VIII-9	Cost & Price Analysis Form
VIII-10	Letter of Blanket Authorization
VIII-11	Letter of Individual Authorization
VIII-12	List of GSA Regional Addresses
VIII-13	Required Clauses
VIII-14	Pre-Award Checklist (Professional Services Contracts)
VIII-15	Pre-Award Checklist (Equipment Contracts)
VIII-16	Pre-Award Checklist (Construction Contracts)
VIII-17	Post-Award Checklist
VIII-18	Contract Status Report
VIII-19	Technical Report Form

List of Figures

Figure No.	Title
VIII-20	Certification of Project Expenses
VIII-21	Grant Project Checklist
VIII-22	Audit Request Form
VIII-23	Procurement Contract Project Closeout Checklist
VIII-24	Interagency Agreement Project Closeout Checklist
VIII-25	Sample Closeout Memo

CHAPTER VIII

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM PROJECT MANAGEMENT

1. RESPONSIBILITY FOR PROJECT ADMINISTRATION AND SUPERVISION

a. UMTA Project Manager's Responsibility.

The quality of project administration depends on more than the efforts of the principal contractors or project performers. It depends heavily on the effectiveness of UMTA's project manager in monitoring his assigned projects, which he has often helped to design. His responsibility is to assure that each of his assigned projects moves forward to its planned goals in a timely and economical manner, and that its results will contribute significantly to the overall RD&D Program Plan of which it is an integral part. This applies to all projects he monitors, both for grant contracts and procurement contracts.

The Management Accounting and Control System (MACS) has recently been developed, with an integrated ADP system, designed to provide UMTA management with greatly improved tools for meeting its--

* Accounting requirements;

* Budgeting and financial reporting requirements; and

* Project control and information requirements.

(For a description of MACS, see section 4, of chapter II.) Every project manager should call upon the resources of MACS (by discussing his needs with the Management Information Systems Coordinator, UAD-41) for assistance in monitoring projects through all stages of activity, from the initial proposal through closeout of a completed project. Print-out reports are available periodically or as otherwise needed, which provide current and cumulative information in the framework of the administrative and planning requirements established concurrent with approval of the project. While there are other types of reports which the project manager may wish to have, the basic reports for day-to-day monitoring are those indicated below, which represent key historical,

financial, and statistical data for each project, arraying actual against planned performance. In every report, variances are highlighted to identify potential problems.

(1) Active Project Status Report--This is a status report on the project, which includes detail data on project dollars, key dates, and remarks regarding the general status (activities or deficiencies) of the project.

(2) Project Disbursement Record--This report provides a history of disbursements and a comparison of actual cash disbursed with budgeted cash requirements. It includes a detailed listing of each disbursement, divided into advances and reimbursements.

(3) Project Budget Report--This report is to enable the project manager to analyze the project's obligations against the project budget. It includes estimated percentage of project completion, approved budget, obligations to date, estimate of obligations to complete the project, budget underruns and overruns, and accrued expenditures to date.

(4) Project Milestone Report--This report will enable the project manager to analyze how the project is progressing with respect to given milestone dates. The report includes the contract date, estimated completion date, milestone descriptions, original target dates, revised target dates, and actual dates of accomplishment of milestones.

(5) Project Report History--This provides a complete history of all reports received in the project. It includes the contract date, estimated completion date, types of reports in the project, frequency of required reports due, dates of reports, and dates of reports received.

b. Project Sponsor's Reponsibility

It is the responsibility of the project sponsor, in attainment of the project objectives, to:

* Control project commitments to ensure that they are all in accord with the specified line-items of the budget. Transfers between line-items, or from the "Contingencies" line to any specified line-item, require UMTA's advance approval in writing.

* Provide continuous administrative direction to project operations.

* Provide, directly or by contract, adequate technical inspection and supervision by qualified professionals of all work performed by the project's own personnel, or pursuant to third-party contracts or other supportive arrangements.

* Assure conformance to plans, specifications, contract requirements, applicable codes, ordinances, and safety standards.

* Maintain the work program schedule.

Inspection and/or concurrence by UMTA in project work does not relieve the project sponsor of his responsibilities and liabilities.

2. ESTABLISHING THE PROJECT ACCOUNT

The project contractor is required to establish and maintain a separate set of accounts for each project. Descriptions of these accounts are contained in the "Accounting Procedures" transmitted with the notice of project approval. Deviations from these accounting procedures require prior written concurrence from UMTA. In these instances (where the project will be complex and involve relatively large sums of money, or where the project manager is unsure of the adequacy of the project accounting system and internal controls), the Program Audit Division (UAD-30) should be requested to make an accounting survey before Federal funds are advanced.

3. PROTECTION OF PROJECT FUNDS

All project funds, both Federal and non-Federal, must be deposited in a bank or trust company which is insured by the Federal Deposit Insurance Corporation. Such depository must also have collateral security for all project funds exceeding the FDIC coverage. A special bank account for a project is permissible, but not required.

The cash balance in the project account should not exceed the amount required to meet current needs over a period of 30 days. Whenever the cash balance in the project account exceeds this amount, the excess funds must be invested in approved securities which have a maturity date on or before the date the funds are needed for disbursement.

As a general policy, no cash should be withdrawn for investment if this would reduce the cash below the estimated

cash needs for the next 30 days, or $1,000. Excess funds shall be invested as provided below:

* Funds shall first be deposited and recorded in the project account.

* Except where the grantee is a State (or instrumentality thereof as defined by OMB Circular No. A 102), funds shall be invested only in:

  -- United States Treasury Bills, Certificates of Indebtedness, Notes and marketable bonds issued by the Department of the Treasury through Federal Reserve Banks and their branches.

  -- Federal National Mortgage Association Notes **and** Debentures.

  -- Federal Land Bank Bonds.

  -- Debentures of Banks for Cooperatives.

  -- Federal Intermediate Credit Bank Debentures.

  -- Federal Home Loan Bank Consolidated Obligations.

* Funds which are returned from investment shall be redeposited, together with all net earnings, in the project account. Net earnings shall be considered as "other income" and used to reduce the net project cost.

4. CODING DOCUMENTS FOR PROGRAM ACCOUNTING COST ALLOCATION

The project manager is responsible for indicating the program code number on certain documents which affect cost allocation of program funds. These are the so-called accounting documents which are forwarded through UAD-20 to TAD-45 and include the following:

* Approvals

  -- Non-Federal Organizations--Any letter, memorandum, or form used to offically notify an applicant, proponent, or successful bidder of a grant or procurement contract award.

-- Federal Organizations--Any letter, memorandum of understanding, or interagency agreement that indicates mutual acceptance of a project or task.

* Amendments (or Modifications)--Non-Federal and Federal--Any letter, memorandum form, or interagency agreement used to officially notify (or indicate acceptance of) participating agencies of a change in the finaicial terms and conditions of an ongoing project.

* Requisitions for Grant Payment--UMTA Form 6

* Other Billings--Any invoice, statement, or voucher used to claim payment (or request advances) under contractual agreements.

* Cancellations--Any letter, memorandum, or form used to officially notify a participant of UMTA's cancellation of the undisbursed balance of an approved grant, or procurement contract, or agreement.

* Collections or Refunds--Any statement or UMTA bill accompanying a remittance from a grantee, contractor, or participant. If a statement is not provided by the tendering organization, a memorandum must be prepared to properly identify the project, with the program code applicable to the transaction.

DOT Order 2700.5A, "Consolidated Accounting System Users Manual," provides a full discussion of the system and requirements. For the purpose of determining the appropriate program code number, see Figure VIII-1.

5. OMB CLEARANCE OF REPORT FORMS AND SURVEY QUESTIONNAIRES

Project managers should be familiar with the requirements of OMB Circular No.A-40, as implemented by DOT Order 1320.13, "Clearance of Plans and Report Forms Under the Federal Reports Act of 1942." These directives pertain to the submission to OMB (via the Office of the Assistant Secretary for Administration) of Standard Form 83, which requests and justifies clearance by OMB of any proposed survey questionnaire, report form, or similar means of collecting identical information and data from ten or more persons. A clearance of such survey is required in advance of the intended use, not only for UMTA-initiated surveys, but also for such surveys proposed to be made for the collection of data or information in any UMTA-assisted project.

6. FIELD INSPECTION OF PROJECT WORK

The project manager will conduct or arrange for regular and timely on-site inspections of major construction projects and (as needed) of other types of projects. This is primarily for evaluating the effectiveness with which the project sponsor is carrying out its responsibilities, to assure that the Government's interests are being safeguarded. These responsibilities subject to UMTA on-site evaluation include: continuous administrative direction of project operations; providing directly or by contract for adequate technical inspection and supervision by qualified professionals of work in progress; assuring compliance with plans and specifications, contract provisions, and applicable codes, ordinances, and safety standards; maintaining the work schedule; and attaining project objectives. During such on-site visits and inspections, the project manager will note how the project sponsor and its contractors are complying with the equal employment opportunity, civil rights, and labor standards specified in the contract. He may interview employees of the contractor to determine the effectiveness of the contractor's equal employment opportunity programs, and to assure that the employees' actual positions and wages are consistent with those indicated on contractor's payrolls. Noncompliances under the equal opportunity program shall be reported promptly to the UMTA Director of Civil Rights and Service Development (UCR-1) in order that an investigation by professionally trained personnel may be initiated. Violations of the Davis-Bacon Act and other labor standards shall be reported promptly to UCC-30.

UMTA Civil Rights specialists may also periodically visit the project and third-party contractor facilities to conduct reviews of compliance with the equal employment opportunity clause of E.O. 11246, the Civil Rights Act of 1964, implementing regulations of DOT (see app. 6) or other Federal agencies, and DOT Order 1050.2, "Standard DOT Title VI Assurances." Refer to Figure VIII-2, "Compliance Survey of Contractors" and also Figure VIII-3, "Compliance Survey of Sponsors."

a. Frequency of On-site Inspections.

The frequency and scope of project inspections shall depend upon the project manager's judgment, but as a minimum, the following visits or inspections shall be scheduled for construction projects; and each such visit shall be documented by a Construction Inspection Report (see Figure VIII-4).

* Preconstruction--A visit shall be made prior to the initiation of construction. The purpose of this visit is to explain and secure full

understanding of the Government's requirements for projects in execution and to obtain information concerning the project performer's proposed arrangements for project supervision and inspection.

* Early stage of construction--Within the 30 percent completion stage or 90 days, whichever is lesser, the project should be visited for an initial evaluation of the adequacy of the Project Performer's supervision and inspection arrangements and adherence to approved project plans and specifications.

* Near-completion stage of construction--A final inspection at the contract site shall be made when the contract construction is substantially complete.

b. Interim Inspections.

There should be such interim visits to the contract site as are considered necessary to assure that the Government's interests are protected. As a minimum, on-site inspections shall be made at six-month intervals during the period of active construction. Interim field audits by UAD-30 representatives may be requested whenever the project manager considers such action advisable.

c. Contact with Secretarial Representative.

The Secretarial Representative in the Region should be kept informed of the on-site inspection schedule, and of any matters on which he might be of assistance. The project manager should notify the Secretarial Representative in advance of inspection visits not regularly scheduled, furnish him with copies of appropriate inspection reports, and otherwise maintain direct contact when in the region.

d. Utilization of DOT Field Contract Inspection Staffs.

Project managers should keep in mind that existing field inspection services are available in other DOT administrations, and may be utilized by UMTA (at cost reimbursement) to perform necessary inspections when the project officer is unable to do so himself. DOT Order 4200.6A, "Field Contract Inspection Staffs," states the policy and procedure for the cross-service utilization of such staff, and attaches a list

of such available staff, by geographic location and technical field of expertise.

7. PROJECT PAYMENTS

a. Grant Projects.

Form UMTA-6, Requisition for Grant Payment (Figure VIII-5) is used in requisitioning Federal funds for approved grant contract projects under the Urban Mass Transportation Act of 1964, as amended. It is furnished in sets of six, with a covering instruction sheet.

The project sponsor is required to submit the original and four copies. Each requisition should be for only one project and one type of grant, and numbered consecutively. Requisitions should be submitted at least 20 days in advance of the period for which cash is needed to allow time for processing by UMTA and the Treasury.

Grant funds may be requisitioned only after the grant contract has been fully executed. Requisitions may be for reimbursement of project costs incurred pursuant to the grant contract, or for an advance on costs to be incurred during the next month. No advance of funds will be approved for more than one month, since drawdowns are expected to be kept to the minimum needed for current operations. The amounts for reimbursement and advance of funds must be shown separately on each requisition.

When 90 percent of the maximum Federal grant has been paid out, further payments will be withheld, except upon adequate justification, until a final audit of the project account has been made. There is adequate justification, for example, if completion of essential project work may be jeopardized by the lack of Federal funds, or if in a completed project, the delay in providing funds to pay outstanding bills would cause hardship to small subcontractors. Approval of each requisition for payment is contingent upon the availability of the following:

* Submittal of an explanation of the purposes for which costs have been incurred or are reasonably expected to be incurred within the requisition period, with copies of invoices for major equipment purchases.

* Certification or documentation to show that the required non-Federal share of project

costs are adequate, when combined with the Federal payments, to cover all costs to be incurred to the end of the requisition period.

* Certification of full compliance with all the provisions of the contract, and no known circumstances which might significantly endanger the timely performance of the project.

* Submittal of all financial and progress reports then due.

Requisitions will be logged in by UAD-10, routed to UAD-20, and then forwarded to URD-10, where an administrative review will be performed, followed by a technical review by the assigned project manager. A standard check-off review form (Figure VIII-6) will be used, to indicate each review and recommendation for payment. In URD-10, a standard transmittal memorandum (Figure VIII-7) to TAD-45 will be prepared, and the entire package routed for UCC-1 review and certification. Approval is indicated by signature on the requisition. When UCC-1 has completed its review, the package is then returned to URD-1 for signature and dispatch to TAD-45. Division directors have been delegated the authority to approve requisitions.

b. Procurement Contract Projects.

Under cost-reimbursement type contracts, it is generally prescribed that progress payments be requested on Standard Forms 1034 and 1035, Public Voucher for Purchases and Services Other Than Personal (see Figure VIII-8), or equivalent format. These come in snap-out sets which the contractor may purchase at nominal cost from the U. S. Government Printing Office.

Other contractors are not precluded from using this form, too, but under other types, such as fixed-price contracts, it is the general practice to use company vouchers or letterhead, and these are acceptable for processing by the contracting officer and UMTA.

Contractual provisions usually provide for the accumulation of a withholding reserve until certain contract requirements are met to the satisfaction of the contracting officer. It is the contractor's responsibility to include appropriate adjustments in his reimbursement claims to cover the required accumulation and release of contract withholding reserves. After all performance provisions of the contract have been complied with, the contractor submits a voucher specifically identified as the "completion voucher," which should include the remaining costs, fees, and reserves

claimed to be due the contractor. It will not include items and amounts which may be set out in any qualifications in the contractor's release of claims.

Periodic voucher payment requests are reviewed and approved by the project manager, using the checkoff review form as for grant payments (see Figure VIII-6).

8. THIRD-PARTY CONTRACTS

a. Introduction.

Third-party contracts are those entered into by the project sponsor to implement the work of the grant project. These third-party contracts can generally be classified into the following categories:

* Professional services contracts

* Construction contracts

* Equipment contracts

The project sponsor is responsible for both the selection of the contractor (either through competitive bidding or negotiation arrangements) and the evaluation of his proposal (to include technical evaluation and cost/price analysis, audit, and total administration of the contract). UMTA and the Federal Government are not obligated or liable to any person or organization other than the project sponsor.

If the sponsor does not possess the capability of performing these services, external sources may be used. See subsection i for procedures to obtain external audit assistance.

The project sponsor may not enter into any contract or other obligation with any third party with respect to the project without prior written concurrence from UMTA, unless the contract is for equipment or construction and amounts to less than $1,000. Costs incurred without such concurrence or written waiver, may be found ineligible for payment from grant project funds. Decisions to issue waivers are made by the appropriate Associate Administrator. Changes in third-party contracts also require prior written concurrence from UMTA, unless otherwise exempted from this requirement. Concurrence is based on the UMTA project manager's review of the grantee's procurement practices and their general conformance with prescribed UMTA procurement procedures. This

review is accomplished by evaluating the project sponsor's selection process and the data submitted by the prospective third-party contractors. Additional support for such reviews (depending on the size and complexity of the proposed procurement) is obtained from the Office of Chief Counsel, the UMTA Procurement Specialist (UAD-43), and the Third-Party Contract Review Board.

Payments to third-party contractors shall be, whenever practicable, established on a regular schedule which is based on the planned forecast of work to be completed or services to be rendered. UMTA does not require that the project sponsors withhold any part of any contract payment pending completion and audit of the project. However, UMTA usually withholds 10 percent of the Federal grant until completion of the final audit. See section 7 of this chapter for further details.

If the project sponsor enters into a contract or agreement with another public agency, or a private party is engaged to carry out the project, this contract will be reviewed as a regular third-party contract. Such contracts will be subject to the requirements listed here for the applicable contract category in which it belongs; i.e., Professional Services, Equipment or Construction.

The project sponsor usually hires independent contractors to carry out project work; however, in certain instances the project sponsor may utilize its own employees (force account). Prior UMTA concurrence must still be obtained before proceeding with any work by force account.

Payments from the project account for force account work must be based on actual costs. Hence, the sponsor must maintain certified records in support of all payments for work completed by force account.

b. General Provisions.

(1) Competitive Bid Requirements--Construction and Equipment Contracts--In general, the project sponsor may not enter into contracts for construction, materials, or equipment except after formal advertising and free, open and unrestricted competitive bidding. However, the following specific exceptions are authorized, when permitted by State and local law.

* Under $2500. Informal bids may be solicited for contracts for construction, materials or

equipment costing $2500 or less. Informal bids shall be obtained from at least two suppliers. The project sponsor shall retain a comprehensive record of the bids received.

* Under $1000. Contracts for construction, materials or equipment costing $1000 or less, may be awarded without soliciting bids. (However, these contracts still must contain the required clauses and other administrative requirements prescribed for the particular type of contract involved.)

* Single Source. Competitive bid requirements for materials or equipment contracts may be waived when it is clearly established that an item is available only through a single source, and no other item will meet the project requirements. Most single-source procurements are reviewed by the UMTA Third-Party Contract Review Board.

* Standardization. Competitive bid requirements for materials or equipment contracts may be waived when it is clearly established that substantial and quantifiable economies in operation or maintenance can be effected through standardization.

When an advance concurrence is required, one copy of each of the following documents shall be submitted to UMTA:

* The proposed advertisement for bids.

* The proposed contract form.

* The plans and specifications.

* Related bidding documents.

If a brand name is used to identify an item in any of these documents, it shall be used for identification only. The documents must indicate that any item of equal quality will also be acceptable.

The specifications or other bidding documents shall contain no limitation on the use of foreign or domestic sources of material, equipment or supplies.

The invitations to bid for construction, materials, or equipment contracts shall contain:

* A statement that the contract is subject to a financial assistance contract between the sponsor and the U. S. Department of Transportation,

* A statement that any name appearing on the Comptroller General's list of ineligible contractors for Federally financed and assisted construction, is not an eligible bidder,

* A statement of the equal employment opportunity clause of Executive Order 11246, as amended (construction contracts only), and

* A statement of health and safety requirements (construction contracts only).

Any proposed change in the specifications or other bid documents must be submitted to UMTA for concurrence prior to issuance.

Construction, materials, or equipment contracts for which formal or informal bids are solicited shall be awarded to the lowest responsive and responsible bidder. UMTA prior concurrence in contract award is necessary only if the proposed award is to a party other than the apparent low bidder, if the amount of the contract will require a budget revision, or if displacement of persons from their residences is involved.

The project sponsor shall obtain UMTA concurrrence prior to making an award to other than the low bidder. This includes, among other circumstances, instances in which the project sponsor determines that the low bid is not responsive, or that the low bidder is not responsible or should be disqualified for other reasons. To obtain UMTA concurrence the sponsor should submit:

* A complete copy of all bids received.

* The tabulation of bids.

* Proof that all bids were advertised.

* A full statement of the reasons for not awarding to the low bidder, together with any supporting documentation.

* An opinion of the project sponsor's attorney with respect to the legality, under State and local law, of the proposed award.

(2) Negotiated Procurement - Contracts for Professional and Consulting Services

Contracts for professional and consulting services may be negotiated; however, this does not eliminate the requirement for competition. In cases where competition is not feasible, the selection of a sole source should be adequately justified. An unsupported declaration that the consultant is uniquely qualified is not sufficient. The justification must contain substantive reasons as to why only one firm was solicited, i.e., it would cost more in both time and money to obtain like services. See chapter XII of this Handbook for additional guidance on sole-source procurements.

With the exception of architect/engineering services, the following procedures shall be followed by project sponsors to obtain professional or consulting services.

* Solicit proposals from at least three firms considered qualified to perform the desired services. Proposers who will not submit price and cost data with proposals should be considered non-responsive.

* Evaluate proposals and select the firm or individual that can best perform the services when technical ability, price and other factors have been considered. While price should not be the determining factor, it should be a consideration.

* Submit proposed contract and documentation to UMTA for concurrence.

The negotiations shall be adequately documented and the following documentation forwarded to UMTA in support of the selection:

* The names of all the firms who were considered prior to final selection.

* The reasons for selecting and qualifications of the proposed firm.

* The cost and price analysis of the proposed firm. (see Figure VIII-9).

* Other relevant information about the proposed firm.

In general, consultant services should be made available through a cost-plus-fixed-fee contract with a maximum dollar amount specified. Cost information should be available by the following major categories:

-- Direct labor
-- Overhead
-- General and Administration expenses
-- Materials
-- Travel
-- Profit
-- Subcontracts

See Figure VIII-9 (Cost and Price Analysis Form) for a suggested format to be used in preparing the cost estimate.

In negotiating contracts, the following guidance is offered:

(a) Profit--The amount of profit allowed is influenced, among other things, by the amount of subconsulting, travel, subsistence, material, etc. As these items increase in relation to direct labor the percent of profit should decrease. It is not the intent of UMTA to dictate profits or establish an absolute upper limit, however, the Federal laws governing direct procurement by the Government should serve as a guide. Title 41, United States Code (Public Contracts) limits the amount of profit on a non-RD&D, cost-plus-fixed-fee contract to ten percent. Hence, it would be incongruous for UMTA to condone profits in third-party contracts that would be illegal in direct procurements. The above rate is a maximum and as a rule such items as travel, subsistence, subcontracts and other out-of-the-pocket expenses should only warrant a one to five percent management or administrative fee.

(b) Overhead--Overhead rates will vary from firm to firm and cannot be easily classified as reasonable or unreasonable. If a consulting firm experiences an excessive overhead rate, it limits their ability to perform the contract within the ceiling price. As a guide to what is considered reasonable, the overhead rates of most consulting firms range from 80 to 110 percent of direct labor. Whatever the rate, it is normally based on past experience and hence, should be a provisional item, subject to future audit. These suggested

rates are not fixed, but merely serve as guidelines. Justification for rates in excess of the guidelines must accompany the proposed contract.

All negotiated consultant contracts in excess of $10,000 and sole-source contracts in excess of $2,500 will be reviewed by the UMTA Contract Review Board for consistency with UMTA contract procedures, and the cognizant UMTA program office will review the contracts for technical content and consistency with the approved grant prior to concurrence by the Associate Administrator. Technical content includes work program, ability to monitor the study, and professional expertise.

(3) Work Performed by Grantee's Staff, Force Account, or Agreements with Another Public Agency--If the project sponsor either desires to utilize its own employees, materials or those of another public agency in performing project work, such arrangements still require advance UMTA approval. Accordingly, the sponsor must forward to UMTA:

* A copy of the plans and specifications. (construction only)

* A detailed estimate of costs.

* The reasons for not desiring to use a private contractor to do the work.

* A copy of the proposed cooperative agreement. (If another public agency is involved)

(4) Grantee Use of GSA Sources of Supply and Services--The General Services Administration (GSA) has determined that a grantee of a Federal agency may be authorized to use GSA supply sources and services when the granting agency determines that such action is in the best interest of the Government and that such use is not otherwise prohibited by law. Because of the opportunities for GSA to purchase an array of equipment, supplies, and services in large quantities, the prices which it can obtain are frequently lower than those which would be available to grantees whose purchases are in relatively small quantities.

UMTA, in implementing DOT Order 4600.6, may authorize its grantees to use GSA sources of supply and services in furthering the purposes of UMTA grantees. Grantees are informed in the External Operating Manual that they may be authorized to use GSA sources of supply and services. A suggested format for such letter requests (blanket and individual) is also contained in the Manual.

GSA has agreed to provide assistance to grantees in dealing with GSA depots and contractors, including assistance in the use of GSA procedures and systems for requisitioning or ordering supplies and services.

(a) Policy--UMTA may authorize its grantees the use of GSA sources of supply and services when it is in the best interests of the Government and grantee except where prohibited by law. However, no authorization to use GSA shall be given to the following:

* A grantee who is an individual;

* A contractor of a grantee; or

* A foreign grantee.

Authorizations shall be based on one of the following:

* Blanket authorizations which permit grantees to use GSA services to support any DOT grant project; or

* Individual authorizations which permit grantees to use GSA services in support of grants approved by one DOT operating administration. Such authorization may be for one grant project, one grant program or for all grants awarded by a particular operating administration.

Authorization shall be made only to grantees who expect to spend more than $500 of UMTA grant funds during the next twelve months for supplies, equipment and services.

Generally, the best interest of the Government is served when it can be determined that the use of GSA sources of supply **or** services will result in either substantial economies to the Government and grantee or necessary faster deliveries. Where such a determination is made, grantees should use GSA to the maximum extent feasible.

DOT is not liable for defective supplies or equipment or for late deliveries. In such cases, the grantee shall be governed by the terms and conditions described in the Federal Supply Schedules or other appropriate GSA issuances.

(b) Responsibilities--When grantees request blanket authorizations, the Office of Installations and

Logistics, under the Assistant Secretary for Administration will issue the authorization directly to grantees. An example of the letter of authorization is contained in Figure VIII-10. A copy of the authorization will be sent to the General Services Administration, Federal Supply Service, Office of Supply Management, Washington, D. C. 20406, the Federal Supply Service of the GSA Regional Office servicing the geographical area where the grantee is located, and to all DOT organizations (including appropriate Regional Administrators) that award grants. In the event that audits or management reviews uncover abuses or deficiencies, the Office of Installations and Logistics (TAD-60) may cancel the authorization and notify GSA of the action.

When grantees request individual authorizations, UMTA will issue the authorizations directly to the grantees. Letters of authorization should be substantially in the same format as illustrated in Figure VIII-11. A copy of the authorization will be sent to the General Services Administration, Federal Supply Service, Office of Supply Management, Washington, D. C. 20406, the Federal Supply Service of the GSA Regional Office servicing the geographical area, and to the Office of Installations and Logistics. In the event that audits or management reviews uncover abuses or deficiencies, the operating administration may cancel the authorization and notify GSA and TAD-60 of the action.

A listing of GSA Regional addresses (see Figure VIII-12) should be enclosed both with letters granting blanket, as well as individual authorizations.

c. Pre-Award Analyses and Review.

(1) Administrative Requirements--Depending on the nature of the procurement and the types of items involved, all third-party contracts and agreements must contain certain specified standard clauses. Furthermore, certain additional standard information must be contained in Invitations to Bid, Advertisement, or Solicitation. A listing of the clauses required for each type of procurement is presented in Figure VIII-13. Specific language for each required clause is contained in Appendix 4. Not all clauses are required for each contract. Additional administrative requirements are specified under item 2 below for each type of contract. UMTA representatives review each proposed third-party contract to ensure that all required clauses are included therein. Failure to include a required clause will result in delays and, therefore, add time to the UMTA review preceding UMTA's determination of third-party contract approval.

(2) Additional Requirements--By Type of Contract

(a) Construction Contracts

* Preconstruction Meeting

UMTA requires that in the case of a construction project, the project sponsor shall arrange and conduct a meeting with representatives of the contractor's organization before beginning the construction work.

This meeting provides to the key members of these organizations, an opportunity to establish lines of authority and communication and to identify their respective duties and responsibilities.

Discussions may also cover the specific project plans, specifications, unusual conditions and schedules of completion. A thorough understanding of equal employment regulations, civil rights' requirements and other pertinent features of the contract will promote better relations and usually improve construction operations.

Written notification of each pending preconstruction conference shall be received by UMTA at least ten days prior to each conference, so that UMTA may make arrangements for UMTA representation, if it believes this to be in UMTA's best interests.

* Equal Opportunity Compliance

Full compliance with all applicable equal opportunity laws and regulations is required of the project sponsor and each contractor or subcontractor participating in any construction project financed wholly or in part by Federal funds. Each sponsor shall insure that every Invitation to Bid, Request for Proposal, or any other solicitation which may lead to a construction contract employing Federal funds, shall include appropriate notice to potential bidders and offerors of the equal opportunity requirements of Executive Order 11246, as amended.

A notice must be posted on the construction site which advises all applicants and employees of the Government's nondiscrimination policy. This notice will be sent to the project sponsor at the time the wage rate determinations are forwarded by UMTA.

* Relocation

All persons, families, businesses, or non-profit institutions must be successfully relocated before any project construction work or preparation for project construction work can begin. See subsection 8e of this chapter for further details on relocation.

* Certified Payrolls

The project sponsor shall obtain from each contractor and subcontractor a certified copy of each weekly payroll within seven days after the regular payroll date. Following a review by the project sponsor for compliance with State and Federal labor laws, the payroll copy shall be retained at the project site for later review by UMTA representatives during on-site inspections. A contractor may use the Department of Labor Form WH-347, "Optional Payroll Form," which provides for all the necessary payroll information and certifications. However, the contractor may use his own payroll form provided it includes the same information and certifications. A sample copy of Form WH-347 and instruction sheet will be forwarded by UAD-10 to the project sponsor when a requested wage rate determination is sent out.

* Insurance Requirements

Either the project sponsor or the third-party contractor (at the project sponsor's option) shall carry Builders' Risk Insurance, including fire and extended coverage, on 100 percent of the completed value of the insurable portion of construction. This insurance is for the benefit of the project sponsor, the prime contractor and all subcontractors. Such insurance coverage is required to remain in effect until the construction has been accepted by the project sponsor. Contractor bids shall not include any cost for Builders' Risk Insurance unless the contractor is required to provide such coverage. If the contractor is not required to provide this insurance and he carries a blanket insurance policy, all project work shall be excluded from such coverage by a special rider, to insure that there will be no duplication of costs for such coverage.

The contractor and his subcontractors shall maintain Workmen's Compensation Insurance, Public Liability, Property Damage, and Vehicle Liability Insurance in amounts and on terms satisfactory to UMTA.

* Bid Guarantees and Bonding Requirements

In accordance with requirements prescribed by OMB Circular No. A-102, a State or local unit of government receiving a grant from the Federal Government which requires contracting for construction or facility improvement shall follow its own requirements (subject to UMTA approval) relating to bid guarantees, performance bonds, and payment bonds, except for contracts exceeding $100,000. For contracts exceeding $100,000, the minimum requirements shall be as follows:

-- A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

-- A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

-- A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

* Air Pollution

The contract and any subcontracts must state that all contractors and suppliers must submit evidence to the project sponsor that air pollution control standards set by the U. S. Environmental Protection Agency will be met. Specific criteria on exhaust emissions from other facilities and equipment such as rail vehicles, power plants, heating

plants, fuel storage and fuel handling facilities will be forwarded by UMTA upon request. If the State or local air pollution control agency has more restrictive standards, they shall be enforced.

* Minimum Wage Rates

Minimum wage rates paid to laborers and mechanics, employed under any construction contract costing $2,000 or more, shall be the wage rates prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act and Regulations thereunder.

UMTA will obtain any required wage rate determinations from the Department of Labor. Regional wage rates are published periodically in the Federal Register. For this purpose, the project sponsor shall submit the following information to UMTA at least 45 days prior to bid advertisement:

-- The dates proposed for bid advertisement and for bid opening.

-- The city and county in which the construction will be undertaken.

-- The estimated cost of the contract for construction.

-- A description of the construction including the classifications of various work required.

When UMTA obtains the wage determination from the Secretary of Labor, it will be forwarded to the project sponsor.

Whenever a State law requires a State wage determination, this shall be obtained directly by the project sponsor. Differences between the State wage rates and the Department of Labor rates shall be resolved by applying the higher rate.

The wage rate determinations must be prominently posted at the construction site. The U. S. Department of Labor has a suitable poster (Form SOL-155) for this purpose. Copies of the Department of Labor poster will be forwarded by UMTA along with each rate determination.

* Liquidated Damages

Liquidated damages provisions are to be included in all construction contracts where both (1) UMTA may reasonably expect to suffer damages (increased costs) from the late completion of the construction and (2) the extent or amount of such damages would be difficult or impossible to assess.

Project sponsors are to be encouraged to include liquidated damages provisions in construction contracts whenever late completion will increase his costs even though UMTA costs will not be increased.

Liquidated damages provisions may be inappropriate in the case of construction contracts consisting of repairs, alteration or improvement where any delay in completion would still permit the grantee to continue to carry out the grant project in an uninterrupted manner, without additional expense to the project. If the grantee decides that a liquidated damages provision is not needed, he must provide UMTA with the reasons behind his decision.

The liquidated damages provision must be contained in the bidding documents and contract specifications and is reviewed by UMTA as a part of those documents.

The rate of assessment contained in the liquidated damages provision is to be determined by the grantee. It should be based upon local policy, standards or court decisions. If such guidance does not exist, the following is to be the basis of the review:

> The rate of assessment must be a reasonable forecast of anticipated damages. A fixed formula, based on percentage of value, should not be used to establish the rate of damages. The minimum amount of liquidated damages should be based on the estimated cost of inspection and superintendence for each day of delay in completion. The following factors are examples of additional matters to be considered in establishing the rate of damages:
>
> -- The relative importance of completion of the construction contract to completion of the grant project.
>
> -- Any rental of facilities necessitated by the delay in a construction completion date.

-- Cost of additional maintenance required on structures being replaced by items.

-- Any unusual damages that can be anticipated.

Unless it is clear that partial completion will proportionately reduce the extent of probable damages, rates should not be specified to be applicable to individual elements of a construction contract but rather to groups of elements which are required for delivery or completion at the same time. Rates should generally be expressed in terms of even dollars per day of delay.

(b) Professional and Consulting Service Contracts.--Other than the required standard clauses, there are no specific requirements which are unique to professional and consulting services contracts. Since many of these contracts are negotiated, see subsection 8b(2) for additional details. No work may be assigned to subcontractors unless prior approval is granted by the project sponsor. See Figure VIII-13 for items normally required in a third-party professional services contract.

(c) Equipment Contracts.--Equipment contracts are those used to purchase mass transportation vehicles, related equipment, materials or supplies. Most of these contracts are competitively bid, fixed-price type procurements, and they therefore must be processed in accord with section of this chapter.

Motor vehicles purchased with project funds must also comply with established safety and pollution requirements. These are detailed in the listing of contract clauses as contained in Appendix 4. The contractor must also provide a performance bond for 100 percent of the contract price and a payment bond for 50 percent of the contract price. (These bonding requirements may be modified or waived at UMTA's discretion.)

(3) Pre-award Review.--The following reviews are made by UMTA representatives prior to recommending approval of proposed third-party contracts.

* Technical Review

  Made by the project manager to ensure that the proposed procurement is in conformance with the overall project objective, that the work described is properly phased into the work schedule and project plan, and that the estimated costs appear reasonable in light of the work to be performed. Moreover, a review is made of the quantity of goods and/or services to be received to ensure that it is consistent with the established requirement.

* Administrative Review

  With the assistance of the Procurement Specialist (UAD-43), and the Third-Party Contract Review Board, the project manager reviews the contract to assure that the proposed efforts and payment for such efforts are both consistent and reasonable. The functions and responsibilities of the Third-Party Contract Review Board are prescribed in the following section.

  To assist the project manager in making these reviews, individual checklists have been devised for each type of procurement contract (see Figures VIII-14 through VIII-16). Information needed to complete these checklists is obtained either from the project file (Approval Memorandum and Final Application), or through direct contact with the project sponsor.

  Concurrently with the administrative review, the proposed specifications and plans are reviewed by UMTA for orientation purposes. Moreover, for professional service contracts, a general evaluation is made of the contractor's competence and ability to perform within the proposed time and monetary constraints.

d. Third-Party Contract Review Board.

A Third-Party Contract Review Board has been established in UMTA to review certain proposed contractual arrangements between grantees and third-party contractors. The following third-party contracts requiring UMTA concurrence will be referred to the Board for review:

* Sole-source contracts for $2,500 or more, except when specific equipment items are required for compatibility with equipment previously installed.

* Negotiated contracts over $10,000 except for (a) force account work and (b) architectural and engineering services.

This review is in addition to any other reviews required by UMTA procedures. No appeal will be taken from the decisions of the Office of Administration or the Board without the specific concurrence of the Associate Administrator whose program is involved. As soon as the UMTA program office has determined that a contract meets the above criteria and is within the scope of the approved project, the contract shall be forwarded together with any supporting material submitted by the project sponsor, to the Office of Administration, (UAD-43).

The Contract Review Board shall then convene and:

* Review the steps taken in arriving at the proposed award, to ensure that correct procedures have been followed and that all actions have been properly documented.

* Review justifications for sole-source or negotiated contracts in excess of $2,500 for adequacy and consistency with UMTA policy.

* Review the proposed contract to assure that the contractor's efforts and payment therefore are consistent and reasonable, overhead rates are adequately supported or that provisional rates will be used until a final rate is established, and the method of payment and amounts specified by cost category are firmly established so as to facilitate subsequent review and audit by the Government.

* Prescribe, in cases where it is appropriate, alternative procurement actions to that proposed.

The Board shall complete its review and furnish the appropriate UMTA program office with the majority view of the Board and any dissenting views within two weeks of receipt of the proposal by the Chairman. In the event it appears that the Board cannot complete its action within that period, it shall advise the cognizant office when action can be expected.

Comments received from the Board shall be referred in writing by the project manager to the project sponsor for such additional data as the Office of Administration shall require.

Upon completion of the review, the project sponsor shall be advised in writing by the project manager of any determinations made by UMTA. Upon specific written indication of acceptance of such determinations by the project sponsor, the project manager shall proceed with his review of the proposed contract.

Any appeal by the project sponsor from a determination of the Contract Review Board shall be referred promptly to the Office of Administration for further action.

Pending receipt of instructions from the Office of Administration with respect to the data it requires from project sponsors in order to conduct its review, and the form in which such data is to be presented, specific questions concerning these requirements shall be referred to the Office of Administration (UAD-43) for determination.

This procedure precludes informal or oral concurrence in the contract to which it applies. Project sponsors must be advised that work can proceed under third-party contracts only after completion of UMTA reviews and its written concurrence in the third-party contract.

e. Relocation Assistance and Land Acquisition.

A detailed presentation of the requirements imposed by the Act and specific procedures to be followed whenever land acquisition and/or relocation are involved in an UMTA project are contained in Appendix 7 of this Handbook. Before acquiring land, the project sponsor shall first obtain two independent appraisals of each land parcel or group of parcels proposed to be purchased with project funds. These appraisals shall follow standard professional appraisal methods and shall clearly distinguish between the value of the land and the value of any structures and improvements.

The purchase price of the land may be negotiated within the amount of the two appraised values. Prior concurrence from UMTA of the proposed purchase price shall be obtained before entering into any binding purchase agreement. The request for UMTA concurrence must be accompanied by one copy of each appraisal.

f. Acquisition of Other Property.

Two independent appraisals shall be obtained for real or personal property not normally acquired through competitive bidding, such as the purchase of used equipment or existing transit facilities. In the acquisition of transit property, the company appraiser may make one of the appraisals, provided he is technically qualified to appraise transit properties and provided his report fully documents and supports his evaluation.

The purchase price, for real or personal property, may be negotiated within the limits of the two appraised values. Concurrence by UMTA, in the proposed purchase price shall be obtained before entering into any binding purchase agreement. The request for UMTA concurrence shall be accompanied by one copy of each appraisal and an explanation of the basis upon which agreement was reached.

g. Contract Award.

Construction, materials, or equipment contracts for which formal or informal bids are solicited, should be awarded to the lowest responsive and responsible bidder. Prior UMTA concurrence in these contracts is necessary only if the proposed award is to a party other than the apparent low bidder, if the amount of the contract will require a budget revision, or if displacement of persons from their residences is involved. All other contracts in excess of $1,000 require written UMTA concurrence prior to award.

When the UMTA review has been completed and a positive determination made, a letter of concurrence is written to the grantee. If necessary, the concurrence letter indicates deficiencies in the contract and is qualified based on applicable deletions, additions or corrections. If negative, the letter cites all reasons why UMTA is unable to concur in the contract award. A copy of this concurrence letter is placed in the follow-up folder for later reference.

The project sponsor is required to provide UMTA with copies of all executed contract documents. Contracts for

materials or equipment costing $2,500 or less need not be routinely forwarded to UMTA. However, these must be kept available in the files of the sponsor for on-site inspection and/or audit by UMTA. If the project sponsor is delinquent in submitting required contract data, the follow-up file serves to alert the project manager to request this submittal. When the documents are received by UMTA, they are reviewed to determine if deficiencies cited in the concurrence letter have been corrected.

(1) Post-award checklist--A post-award checklist (see Figure VIII-17) is used to make reviews of third-party contracts after the award has been made. The following explanation further describes information requested by that form.

Question I--These documents must be submitted by the project sponsor and an UMTA representative shall determine whether such submissions have been received.

Question II--This determination is made through comparison with the project budget.

Question III--The project sponsor must have obtained UMTA concurrence prior to making an award to other than the low bidder. This includes, among other circumstances, instances in which the project sponsor determines that the low bid is not responsive, the low bidder is not responsible, or the firm should be disqualified for other reasons. To obtain UMTA concurrence the sponsor shall submit:

* The tabulation of bids.

* A full statement of the reasons for not awarding to the low bidder, together with any supporting documentation.

* An opinion of the project sponsor's attorney with respect to the legality, under State and local law, of the proposed award.

Question IV--The Office of Civil Rights and Service Development has a list of ineligible bidders which is referred to in answering this question. The reviewer shall also refer to the Comptroller General's list of ineligible contractors.

Question V--This question refers to the "Status Report--Active Projects" which is part of the UMTA Management Accounting and Control System (MACS) explained in chapter II of this Handbook.

Question VI--In the case of a construction project, the project sponsor must arrange and conduct a meeting, with representatives of the contractor's organization, before beginning the construction work. This meeting is to provide to the key members of these organizations, an opportunity to establish lines of authority and communication and to identify their respective duties and responsibilities.

h. Contract Amendment or Change Order.

The project sponsor must obtain concurrence from UMTA prior to the issuance of any third-party contract amendment or change order. To obtain this concurrence, the project sponsor shall submit the following to UMTA:

* A copy of the proposed amendment or change order with appropriate contract identification.

* A narrative explanation of the proposed change and its effect upon the prime contract and the project costs. This shall include a statement of the accumulative costs of all prior cost changes and the original contract amount.

* A description and estimated cost of any further anticipated increases in contract or project costs which will become necessary as a result of proposed changes.

Under some circumstances, prior concurrence by UMTA will not be required for a change order:

(1) In an emergency, a change order may be issued without prior concurrence, but it must be forwarded to UMTA as soon as practicable, so that UMTA may ratify the action. The project sponsor shall indicate clearly the nature of the emergency which precluded prior submittal.

(2) Minor change orders may be issued without UMTA concurrence. A minor change order is defined as one which:

* Does not materially change the project scope,

* Does not cause an overrun in the appropriate budget line-items, or

* Does not change the contract cost by more than $25,000 or two percent of the contract price, whichever is less.

Each such minor change order shall be completely documented in the project files for later on-site audit by UMTA. Each such change shall be reflected in the following Monthly or Quarterly Progress Report.

i. Audit of Third-Party Contracts.

UMTA and the Federal Government are not obligated or liable to any person or organization other than the project sponsor. The project sponsor is responsible for the administration of the project, compliance with the terms and conditions of the grant contract, and adequate supervision and inspection of work performed by force account or pursuant to third-party contract. In applying the required supervision and inspection responsibilities for third-party contract work, there are certain specific financial reviews that should be made by qualified professionals. The need for and nature of these reviews are dependent on the type and amount of the third-party contract(s) involved.

Many UMTA project sponsors assign their own auditors or financial-management-type personnel to these proposal-evaluation and contract-monitoring duties. Some, however, do not possess qualified people to make these required reviews and must obtain these services elsewhere.

Two ready sources for these audit services are qualified independent accounting firms and contract auditors from agencies and departments of the Federal Government. For example, the Defense Contract Audit Agency (DCAA) maintains a continuing audit interest at certain contractor locations which receive DOD contracts, and it will accommodate casual audit requests from non-Defense agencies for audits at other locations where the overall Government interest and effectiveness so dictate.

Costs of third-party audit surveillance and proposal evaluation are allowable for inclusion in the project so long as they are included in the project budget and the contract/agreement between the auditing entity and the project sponsor has been approved in advance by UMTA.

(1) Responsibilities.--It shall be the responsibility of the grantee to administer all third-party contract work and insure that the project is carried out in a sound, economical and efficient manner.

The UMTA Program Audit Division (UAD-30) shall periodically evaluate selected project sponsors' capabilities

Question VI--In the case of a construction project, the project sponsor must arrange and conduct a meeting, with representatives of the contractor's organization, before beginning the construction work. This meeting is to provide to the key members of these organizations, an opportunity to establish lines of authority and communication and to identify their respective duties and responsibilities.

h. Contract Amendment or Change Order.

The project sponsor must obtain concurrence from UMTA prior to the issuance of any third-party contract amendment or change order. To obtain this concurrence, the project sponsor shall submit the following to UMTA:

* A copy of the proposed amendment or change order with appropriate contract identification.

* A narrative explanation of the proposed change and its effect upon the prime contract and the project costs. This shall include a statement of the accumulative costs of all prior cost changes and the original contract amount.

* A description and estimated cost of any further anticipated increases in contract or project costs which will become necessary as a result of proposed changes.

Under some circumstances, prior concurrence by UMTA will not be required for a change order:

(1) In an emergency, a change order may be issued without prior concurrence, but it must be forwarded to UMTA as soon as practicable, so that UMTA may ratify the action. The project sponsor shall indicate clearly the nature of the emergency which precluded prior submittal.

(2) Minor change orders may be issued without UMTA concurrence. A minor change order is defined as one which:

* Does not materially change the project scope,

* Does not cause an overrun in the appropriate budget line-items, or

* Does not change the contract cost by more than $25,000 or two percent of the contract price, whichever is less.

Each such minor change order shall be completely documented in the project files for later on-site audit by UMTA. Each such change shall be reflected in the following Monthly or Quarterly Progress Report.

i. Audit of Third-Party Contracts.

UMTA and the Federal Government are not obligated or liable to any person or organization other than the project sponsor. The project sponsor is responsible for the administration of the project, compliance with the terms and conditions of the grant contract, and adequate supervision and inspection of work performed by force account or pursuant to third-party contract. In applying the required supervision and inspection responsibilities for third-party contract work, there are certain specific financial reviews that should be made by qualified professionals. The need for and nature of these reviews are dependent on the type and amount of the third-party contract(s) involved.

Many UMTA project sponsors assign their own auditors or financial-management-type personnel to these proposal-evaluation and contract-monitoring duties. Some, however, do not possess qualified people to make these required reviews and must obtain these services elsewhere.

Two ready sources for these audit services are qualified independent accounting firms and contract auditors from agencies and departments of the Federal Government. For example, the Defense Contract Audit Agency (DCAA) maintains a continuing audit interest at certain contractor locations which receive DOD contracts, and it will accommodate casual audit requests from non-Defense agencies for audits at other locations where the overall Government interest and effectiveness so dictate.

Costs of third-party audit surveillance and proposal evaluation are allowable for inclusion in the project so long as they are included in the project budget and the contract/agreement between the auditing entity and the project sponsor has been approved in advance by UMTA.

(1) Responsibilities.--It shall be the responsibility of the grantee to administer all third-party contract work and insure that the project is carried out in a sound, economical and efficient manner.

The UMTA Program Audit Division (UAD-30) shall periodically evaluate selected project sponsors' capabilities

in administering third-party contracts and shall offer advice and assistance to grantees for establishing the means for adequate surveillance of third-party contract work. In those instances where outside audit services are to be obtained, UAD-30 will assume technical evaluation responsibility for the proposed contract, or agreement with the auditing entity.

The cognizant UMTA program office shall review all proposed contractual agreements between the grantee and outside audit sources to determine that the agreement meets all prescribed administrative requirements. Moreover, after determining that funds are available in the latest approved project budget to cover the requested audit services, and that the contract is technically and legally sound, the UMTA program office shall issue the required UMTA approval. Where other Federal auditors are used for third-party contract audit work, the UMTA Financial Management Division (UAD-20) shall prescribe the accounting controls to insure that program funds are used to pay for the audit services, and that the grantee is billed for its share of the audit(s) cost.

(2) Procedures.--The procedures outlined below shall be followed whenever project sponsors request the use of outside audit sources to review and monitor third-party contracts. Such requests will be initially evaluated by the cognizant UMTA program office to insure that funds are available and are identified for audit in the latest approved project budget. After the funding question is positively resolved, UAD-30 shall make a preliminary review to determine whether the request is justified in light of the type of contract and relative amount of project funds involved. If all is satisfactory, UAD-30 shall then make a determination regarding whether a Federal contract audit organization or an outside independent public accountant will be selected to make the desired reviews.

(a) When Federal Auditors Are to be Used.--

* UAD-30 shall process the audit/evaluation request to the appropriate Federal agency audit office and shall estimate how much the required review will cost. The contract audit entity will be instructed to submit copies of all reports and bills for audit services to UAD-30.

* A copy of the audit request accompanied by an estimate of the audit cost shall be provided to UAD-20.

* UAD-20 shall use the estimate provided by UAD-30 to reserve program funds to cover the estimated cost of the audit.

* UAD-30 shall review the contract audit reports and forward them along with comments to the UMTA program office administering the grant project involved. The program office is responsible for issuing the report to the grantee for action purposes.

* UAD-30 shall review all contract audit bills and, where found acceptable, shall provide a certification to UAD-20 indicating approval for payment.

* UAD-20 shall pay the audit bill citing program funds and it shall establish the accounting procedure for "billing" the project sponsor its share of the audit cost. This shall be accomplished by reducing subsequent cash requisition(s) in the amount of the sponsor's share of the audit cost. UAD-20 shall also inform the sponsor of the total audit cost and shall instruct the sponsor to include the total audit cost in the periodically required project financial reports.

(b) When an Independent Public Accountant is to be Used.--

* The project sponsor shall apply the procedures specified in the "UMTA External Operating Manual" in seeking a contractual arrangement with an independent public accountant (IPA) for third-party contract audit services. A complete package must be submitted to UMTA showing the proposed audit coverage, the billing rates by labor classification, and the proposed form of contract between the grantee and the IPA.

* UAD-30 shall make a technical evaluation of the proposed professional-services-type procurement to insure that the audit coverage is adequate, the proposed price is reasonable in light of the services to be rendered, the proposed audit firm is in good professional standing, and the type of contract and method of payment are acceptable. The UAD-30 recommendations shall then be forwarded to the cognizant UMTA program office.

* The program office shall insure that all the legal and procedural requirements for third-party professional services contracts have been satisfied by the grantee and, if all is found satisfactory, shall approve the audit contract. Work papers generated by the IPA must be made available for review by UMTA representatives. These records must be retained for a period of three years subsequent to the official closeout date.

* The grantee shall be instructed to forward copies of all third-party contract audit reports to UMTA, Attention: UAD-30.

9. PROJECT REPORT REQUIREMENTS

a. Financial Reports.

(1) Monthly statement of financial condition.--This report, submitted by the project sponsor consists of a balance sheet providing data for determining accrued program expenditures; and a graph or table which compares anticipated expenditures for major tasks with actual expenditures. Although an accompanying narrative explanation would be helpful in some cases, it is not required. One signed and one conformed copy of this report should be submitted within 15 days after the end of each month until final settlement of the project account. When received in UMTA, it is routed first to UAD-20, then to the project manager. (See subsection 9b below)

(2) Monthly Contract Status Report (Third-Party Contracts).--A contract status report (Figure VIII-18) on the accrued value of contract work performed and services rendered, must be submitted to UMTA every month by the grant sponsor. This is to provide UAD-20 with consolidated accrual data on all third-party contracts in a project which provides for services, construction, or the manufacture and fabrication of items in accordance with the project's own specifications. Purchase-order contracts for furnishing off-the-shelf production items which the contractor keeps generally available for public sale should not be included in the contract status report.

The contract status report must provide consolidated data for all pertinent contracts and subcontracts. When obtaining the data, it should be made clear that a prime contractor is responsible for including the activities of its subcontractors.

In completing the report for cost-type contracts, data are to be reported in terms of performance, including profit or fee. In the case of fixed-price contracts, it is not necessary for a contractor to report actual costs, but only to report the amounts earned, including profit or fee, based on the stage of completion or other satisfactory evidence of performance under the contract.

The consolidated contract status report is due in UMTA (two copies) not later than the tenth of the month following the period covered by the report. One copy goes to the project manager, then to the file; the other copy is for UAD-20.

(3) Routing and Review of Financial Reports.--Financial document reports submitted during the course of a project (for example, requisitions, invoices, and balance sheets) shall be logged in by UAD-10 and routed directly to UAD-20. UAD-20 will record the financial data on Federal liabilities and advances (as required by U. S. Treasury Dept. Circular No. 966 and OMB Bulletin No. 68-10). UAD-20 will then route the financial reports to URD for the attention of the appropriate project manager.

b. Progress Reports.

(1) Monthly Progress Report.--The monthly report shall be a concise, factual narrative report on the status of the project reflecting the established work program, summarizing

current-month activities, and presenting the schedule of activities for the following month. Change orders shall also be reflected in the report covering the period in which the change was made and approved by UMTA. Technical data and results of analyses shall be sufficiently detailed to clarify the description of activities or to highlight significant events.

(2) Quarterly Report.--At the end of each quarterly period, a report is made as an analytical summary of accomplishments to date and foreseeable problems.

(3) Submission of Reports.--Two copies of each report shall be submitted to UMTA within 15 days after the end of the month. Graphic and tabular displays are useful in effective presentation.

c. Final Project Report and Interim Technical Reports.

A comprehensive final report will be published for every research, development, and demonstration project, except where specifically waived by UMTA. The report will explain in full detail the nature and objectives of the project, the methodology, the findings, and the analysis of results. This must be a professional and technically competent product, since it is intended as a useful guide for public and private agencies, officials, planners, and others concerned with similar problems of urban mass transportation. The format for every technical report produced by or for the Federal Government is expected to follow the guidelines published in July 1969 by the Committee on Scientific and Technical Information of the Federal Council for Science and Technology. Compliance with these guidelines is required by DOT Order 1700.18, "Format for Scientific and Technical Reports," which contains the COSATI guidelines.

The project sponsor may also be required to submit interim technical reports upon the completion of major tasks, as specified in the proposal or work program. Ordinarily, only the final report is published. However, occasionally, interim technical reports may be of sufficient general interest to warrant publication.

Final reports will receive more general circulation than interim technical reports and, therefore, should be prepared to accommodate many levels of interest.

(1) Review and Approval of Final Report.--During the development of the final report, there are at least two key points when the responsible project representative must confer with UMTA's project manager: first, to review the proposed outline and general format before beginning to write

the report; and again, when a printer's proof or other final draft of the report is available, together with printing specifications and cost estimates, for UMTA concurrence. If no proof is available, a final draft copy may be substituted.

The review process will involve, first, the project manager, who, having monitored the project, will be concerned with the technical accuracy and completeness of the report; it will then also involve a systems analysis review by URD-10, which will evaluate the significance of the report and the project in terms of its contributions to the solution of major problems and achievement of program objectives. During both phases of the review, interaction with the project representative may be necessary.

URD-10 will consolidate the review findings and prepare a review report, with recommendations for publication or other action. On the basis of this report, URD-1 will make the decision, and refer it back to the project manager, who will notify the project director or other appropriate representative.

(2) Acknowledgment and Disclaimer Statement.--Every report prepared for publication must contain, on the title page, a statement acknowledging UMTA's financial participation, as follows:

> This report is the product of a project (or study) financed (in part) by the U. S. Department of Transportation, Urban Mass Transportation Administration.
>
> The contents of this report reflect the views of the (fill in performing organization) which is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policy of the Department of Transportation. This report does not constitute a standard, specification or regulation.

(3) Copies Furnished.--For those reports not to be published, six copies of the final report shall be furnished to UMTA. For reports to be published, one master reproducible original must be furnished to UMTA, together with 100 copies (or fewer, if UMTA so indicates) for its internal distribution needs. In addition, an abstract of the report must be prepared by the project director, on Standard Form NTIS-35, or similar DOT Form F 1700.7 adapted for this use, (see Figure VIII-19), which will be submitted, with 10 to 25 copies of the report, to

the National Technical Information Service at Springfield, Virginia, so that the report may be processed for general public sale.

10. RETENTION OF RECORDS--ACCESS TO RECORDS

Under the requirements of OMB Circular No. A-102, Federal grantor agencies may not impose record retention requirements over and above those established by the State or local governments receiving Federal grants, except that financial records, supporting documents, statistical records, and all other records pertinent to a grant program shall be retained for a period of three years, with the following qualifications:

* The records shall be retained beyond the three-year period if audit findings have not been resolved;

* Records for nonexpendable property which was acquired with Federal grant funds shall be retained for three years after its final disposition;

* When grant records are transferred to or maintained by the Federal grantor agency, the three-year retention requirement is not applicable to the grantee.

The retention period starts from the date of the submission of the final expenditure report or, for grant contracts which may be renewed annually, from the date of the submission of the annual expenditure report.

State and local governments may be authorized, if they so desire, to substitute microfilm copies in lieu of original records.

Where UMTA determines that records possess long-term retention value, other retention arrangements should be made by the project manager, which may include transfer of such records to Federal custody.

Any authorized representative of UMTA, DOT, and the Comptroller General of the United States shall have access to any books, documents, papers, and records of the State and local governments and their subgrantees which are pertinent to a specific grant contract, for the purpose of making audit, examination, excerpts and transcripts.

Unless otherwise required by law, no restrictions may be placed on State and local governments' records, except when records must remain confidential for the following reasons:

* To prevent a clearly unwarranted invasion of personal privacy.

* Specifically required by Executive Order or statute to be kept secret.

* Commercial or financial information obtained from a person or a firm on a privileged or confidential basis.

* Any other information which can be exploited for the purpose of personal gains.

11. AUDIT OF PROJECTS

a. Audit Responsibility.

The Program Audit Division (UAD-30) is responsible for providing audit coverage for all UMTA grants and contracts, and for reporting the results of audit on the specific project(s) under review. The overall program audit objective is to assure that costs incurred and presented for payment are properly supported, are eligible, and are for duly authorized work under approved grants and contracts.

Most audits are requested after the project has been completed (see section 13 of this chapter for close-out); however, UAD-30 makes interim audits of certain complex projects involving large sums of money and extending through two or more years.

All matters relating to audit (either completed, in process, or proposed) shall be directed to UAD-30; and, in those instances where outside auditors are used, all contact with the activity or entity which conducted the audit shall be made by UAD-30. The Program Audit Division will provide technical guidance and assistance to project managers to

facilitate resolution of audit findings. The division maintains a suspense file for followup of all unresolved audit findings and prepares monthly status reports of unresolved audit findings.

The Office of RD&D is a designated action office for program audit reports and, as such, is required to reply within the established time frame to all audit findings reported. The project manager is responsible for providing grantees and procurement contractors with copies of the audit reports and for conducting whatever additional followup action or research is necessary to resolve the reported audit findings. However, any proposed action with respect to the audit findings must be coordinated with UAD-30 before any related correspondence or other notification is made to the grantee.

The Administrator is responsible for final action on those audit findings which cannot be mutually resolved by the Office of Administration and the program management officials.

b. Audit Policies and Criteria.

The following policies and criteria shall be followed in the processing and adjudication of program audit findings:

(1) When 90 percent of the maximum Federal grant has been paid out, further payments will be withheld except upon adequate justification (see section 7 of this chapter for definition), pending final audit of the project.

(2) Findings noted during audit reviews must be resolved before any future fund requisitions for work related to the project shall be processed. Exceptions to this policy may be granted by the Associate Administrator in those instances where the audit findings are minor in amount or purely administrative in nature. Any other exceptions must be granted by the Administrator.

(3) No grant contract shall be closed out until the Office of Administration has advised the Associate Administrator that there are no remaining unresolved audit findings.

(4) The Program Audit Division will, at the end of each fiscal year, prepare a report summarizing all audit findings reported during the year. This report will state which existing UMTA procedural requirements need strengthening,

and will recommend additional procedures and controls to eliminate or reduce the recurrence of similar audit findings in the future.

c. Flow of Audit Reports.

The processing of audit reports and the resolution of audit findings will be accomplished in the following manner:

* UAD-30 will submit two copies of each audit report to the Associate Administrator (URD-1). Highly significant audit findings will be forwarded in advance of the audit report immediately upon learning of the tentative discrepancy. This advance information, in the form of an audit bulletin, will briefly describe the suspect condition and will be subsequently followed by the audit report which will provide the detailed specifics of the finding(s).

* The audit report will require a reply to the Office of Administration within 60 days after receipt by URD-1, reflecting:

  -- URD analysis and review of the reported audit findings;

  -- the project sponsor's review of the audit report;

  -- coordination with the project sponsor on proposed action to resolve the reported findings.

* The project manager shall prepare a letter for the Associate Administrator's signature, with UAD-30 concurrence, advising the grantee of UMTA's action on the audit report.

* The Administrator will be provided with copies of all audit reports which contain:

  -- information which is considered to be of possible congressional interest;

  -- information which indicates a possibility of fraud or other criminal actions;

-- any other information which the Associate Administrator for Administration deems advisable for the Administrator's review.

d. Determining Need for Audit of Contract and Interagency Projects.

(1) Government Contracts Awarded by DOT.--The audit requirement for Government contracts shall be determined by the DOT contracting officer. Hence, before commencing project closeout, the UMTA project manager shall contact the assigned contracting officer to request a determination as to the need for a final audit. If the contracting officer determines that no audit is required, this decision should be documented and, from a financial standpoint, project closeout can be accomplished. On the other hand, if an audit is required, the project cannot be closed until the final audit report is received from the contracting officer and all findings have been satisfactorily resolved. The request for audit services and all contact with the contract auditors shall be made by the contracting officer.

(2) Interagency Agreements.--Interagency agreements involving reimbursement for goods and/or services provided to UMTA by other U. S. Federal Government organizations normally do not require an audit. However, if the agreement involves a project where UMTA funds will ultimately be included on a contract awarded by the servicing agency, the UMTA project manager should contact the servicing agency to determine if the contract will be audited. If an audit will be made, the project manager shall request a copy of the report and shall suspend project closeout proceedings until all findings have been resolved.

12. USE AND DISPOSITION OF PROPERTY

In some cases, title to the property used in the project will be vested in the U. S. Government, and UMTA will be responsible for its care. In these situations, UAD-45 shall inventory the property and maintain property records, in accordance with the property accountability requirements of the Federal Property Management Regulations and chapter XXII of this Handbook.

While a project is active, the project manager shall be responsible for monitoring the care of any such Government property held by the grantee or contractor. This will require

the project manager to verify, during his field inspections, that the property is being used properly and economically.

Upon completion of the project, where Government property is to be disposed of, the project manager shall recommend to the Associate Administrator (URD-1) that it (1) be sold or transferred to the State or local government where it is located or (2) disposed of otherwise in accordance with the Federal Property Management Regulations. Following the policy guidelines of OMB Circular No. A-101, it is UMTA's policy that title to property used in the conduct of university research should be vested in the university, unless special circumstances require other treatment.

The Office of Administration (UAD-1) shall be responsible for necessary action on the disposition of Federal Government-owned project property, taking into consideration the recommendation of the project manager and the determination made by URD-1. If the property is to be transferred to a State or local government or to a university, the terms of the agreement should be such as to assure its continued use, insofar as desirable or possible, to the purpose for which it was used in the project, or to such other purpose as will reasonably be related to the improvement of urban transportation.

When there is no provision in the RD&D contract between the Government and a project sponsor which provides specifically for vesting of title, or for the disposition of non-expendable project property upon completion of the project, the following procedures shall apply:

* Property retained. If the property is retained, the project sponsor shall deposit in the project account an amount equal to the fair market value of the property, which amount has been approved by UMTA on the basis of two expert and objective appraisals, or by any other method approved by UMTA as equitable. The cost of obtaining such expert appraisal is an allowable project cost.

* Property sold. If the property is to be sold, it shall be sold by the project sponsor at the highest price obtainable at public or private sale, subject to approval of the sale price by UMTA. All the proceeds from any property sale shall be deposited in the project account.

13. PROJECT COMPLETION AND CLOSEOUT

a. Project Completion Criteria.

The following criteria shall be used in determining when a project is completed:

* All tasks for which funds were authorized are completed and evidence exists to substantiate the completion. For most RD&D projects, the evidence would be receipt of the required copies of the completed final report after a draft final report has been approved. If equipment acquisition is involved, such equipment should have been received and put to its intended use.

* All costs have been charged to the project, disposition of all nonexpendable property has been made and the proceeds credited to the project account, and the grantee's certification of project expenses (UMTA Form 38, see Figure VIII-20) has been received.

* Final financial reports (balance sheets) have been received and project costs are categorized in conformity with the latest approved project budget.

* A comparison has been made of actual costs incurred with budgeted amounts and all line-item overruns and/or unbudgeted items have been resolved.

* The latest approved project budget includes all changes necessitated by the preceding paragraph, and represents the final budget.

It shall be the responsibility of the project manager to ascertain that necessary project activities have been completed so that the project can be considered ready for closeout proceedings.

The Office of Administration (UAD-10) is responsible for providing accounting documentation missing from the project file or resolving questions concerning transfer of funds,

payments, or project funding balances. Projects will be placed in a "completed" status when the request for final audit has been issued.

b. Project Closeout.

(1) Grant Contract Closeout.--The project manager shall use the Grant Project Closeout Checklist (see Figure VIII-21) when closing out a grant contract project. When it has been determined that sufficient activities have been completed, the project manager will request a final audit using the Audit Request form (see Figure VIII-22). The audit request must also be accompanied by a copy of the grantee's Certification of Project Expenses. After the audit report is issued and audit findings have been resolved and processed in accordance with section 11 of this chapter, the project manager shall complete the action identified in the Grant Project Closeout Checklist and forward it to UAD-10 for final processing.

(2) Procurement Contract Closeout.--The project manager shall use the Procurement Contract Project Closeout Checklist (see Figure VIII-23) when closing out a procurement contract project. A determination of the need for an audit shall be made in accordance with subsection 11d of this chapter. After those procedures have been satisfied, the project manager shall complete the action identified in the Procurement Contract Project Closeout Checklist and forward it to UAD-10 for final processing.

(3) Interagency Agreement Project.--The project manager shall use the Interagency Agreement Project Closeout Checklist (see Figure VIII-24) when closing out an interagency agreement project.

The Office of Administration (UAD-10) will transfer the project to the "Closed Out" status when the final audit findings have been resolved and the final requisition has been paid or the final return of funds by the grantee has been received. See Figure VIII-25 for a sample close-out memo to UAD-20.

CODES AND DESCRIPTIONS

CODE	DESCRIPTION
31 00 00 00	Capital Investments - Grants
31 01 00 00	Small Urban Transit System Acquisitions
31 02 00 00	Small Urban Transit System Improvements
31 03 00 00	Large Urban Transit System Acquisitions
31 04 00 00	Large Urban Transit System Improvements
31 05 00 00	Large Urban New Transit Systems
32 00 00 00	Capital Investments - Loan
32 01 00 00	Capital Facilities
32 02 00 00	Advanced Real Estate Acquisition
33 00 00 00	Technical Studies and System Planning
34 00 00 00	Research, Development and Demonstrations
34 01 00 00	Bus Transit
34 01 01 00	Bus Technology
34 01 02 00	Bus Traffic Systems and Service Innovation
34 02 03 00	Transit Operations and Management Systems
34 02 00 00	Rail Transit
34 02 01 00	Rapid Rail Vehicles and Systems

Figure VIII-1--Program Accounting Codes

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

COMPLIANCE SURVEY OF CONTRACTORS

1. REVIEW REPORT NUMBER

2. ☐ CONSTRUCTION ☐ NON-CONSTRUCTION

3. ☐ DIRECT FEDERAL ☐ FEDERALLY ASSISTED

4. PRIORITY GROUP

5. REVIEW AUTHORITY

☐ EXECUTIVE ORDER 11246 AS AMENDED ☐ 49 CFR PART 23 (Exclusive of E.O. 11246 as amended) ☐ CIVIL RIGHTS ACT 1964 AS AMENDED ☐ OTHER (Specify)

6. ☐ PRE-AWARD REVIEW ☐ POST-AWARD REVIEW ☐ FOLLOW-UP REVIEW

7. ☐ ON-SITE ☐ HOME OFFICE

8. PROJECT AND CONTRACT NO.

9. CONTRACT VALUE

10. ☐ COMPREHENSIVE REVIEW

11. ☐ SPECIAL REVIEW

12. DATES OF REVIEW

13. CONTRACTOR IDENTIFICATION (Identify if Minority Enterprise) ☐ PRIME ☐ SUB ☐ VENDOR ☐ SUPPLIER ☐ OTHER (Specify)

14a. NAME AND ADDRESS OF CONTRACTOR

15. NAME AND TITLE OF PRINCIPAL OFFICIAL

17. NAME AND TITLE OF EQUAL EMPLOYMENT OPPORTUNITY OFFICER

14b. PROJECT ADDRESS IF DIFFERENT

16. NAME AND TITLE OF TOP OPERATING OFFICIAL

18. IS WRITTEN AFFIRMATIVE ACTION COMPLIANCE PROGRAM AVAILABLE?
SEE ITEM 30H ☐ YES ☐ NO

19. PROJECT OR CONTRACT PRODUCTION SCHEDULE | BEGINNING DATE | ESTIMATED COMPLETION DATE | ANTICIPATED PEAK EMPLOYMENT DATES

20. DETERMINATION OF COMPLIANCE STATUS: ☐ IN-COMPLIANCE ☐ IN-NON-COMPLIANCE ☐ SEE FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND AGREEMENT DETAILS PAGE 4 ITEM 31 AND 32

21. SUB-CONTRACTORS, VENDORS, SUPPLIERS, ETC. (Name, Address, Total Employees, Percent Minorities) (Indicate if a Minority Enterprise)

22. UNION AFFILIATIONS AND OTHER RECRUITING AND TRAINING DATA

UNION TITLE OR IDENTIFICATION A	UNION LOCAL NUMBER B	DOES UNION HAVE EXCLUSIVE REFERRAL RIGHTS C		DOES UNION SPONSOR OR PARTICIPATE IN PRE-APPRENTICE, APPRENTICE, OR POST-APPRENTICE TRAINING PROGRAMS? D		DOES CONTRACTOR SPONSOR OR PARTICIPATE IN PRE EMPLOYMENT, APPRENTICE, OR POST EMPLOYMENT TRAINING PROGRAMS? E	
		YES	NO	YES	NO	YES	NO

23. OTHER RECRUITING SOURCES, ESPECIALLY MINORITY OR POVERTY ASSISTANCE ORIENTED

A NAME OR OTHER IDENTIFICATION	B ADDRESS

FORM UMTA F-34 (2/71) PAGE 1

24. ON-SITE CONSTRUCTION EMPLOYMENT DATA

TABLE A

LINE NO	JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICAN		APPRENTICES		ON THE JOB TRAINEES	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1	OFFICIALS (MANAGERS)																
2	SUPERVISORS																
3	FOREMEN																
4	CLERICAL																
5	EQUIPMENT OPERATORS																
6	MECHANICS																
7	TRUCK DRIVERS																
8	IRONWORKERS																
9	CARPENTERS																
10	CEMENT MASONS																
11	ELECTRICIANS																
12	PIPEFITTERS, PLUMBERS																
13	PAINTERS																
14	LABORERS, SEMI-SKILLED																
15	LABORERS, UNSKILLED																
16																	
17																	
18																	
19																	
20																	
21	TOTAL																
22	TOTAL EMPLOYMENT FROM PREVIOUS REPORT (IF ANY)																

TABLE B

23	APPRENTICES																
24	ON THE JOB TRAINEES																

25. SUMMARIZE NEW HIRES FOR THE CURRENT MONTH INDICATING MINORITIES AND NON-MINORITES BY JOB CATEGORIES

26. SUMMARY ANALYSIS OF EMPLOYMENT DATA

27. CONTINUATION FROM PAGE 1-4 (Show Item "No." Being Continued). IF ADDITIONAL SPACE IS REQUIRED, ATTACH SEPARATE SHEETS AND KEY ANSWERS TO ITEM NUMBERS

PAGE 2

Figure VIII-2--Compliance Survey of Contractors
(Page 1 of 2)

28. HOME OFFICE EMPLOYMENT DATA

LINE NO.	OCCUPATIONS (A)	MALE EMPLOYEES: TOTAL MALES (B)	MALE MINORITY GROUPS: NEGRO (C)	ORIENTAL (D)	AMERICAN INDIAN (E)	SPANISH AMERICAN (F)	FEMALE EMPLOYEES: TOTAL FEMALES (G)	FEMALE MINORITY GROUPS: NEGRO (H)	ORIENTAL (I)	AMERICAN INDIAN (J)	SPANISH AMERICAN (K)	TOTAL ALL EMPLOYEES (L)
1	OFFICIALS AND MANAGERS											
2	PROFESSIONALS											
3	TECHNICIANS											
4	SALES WORKERS											
5	OFFICE AND CLERICAL											
6												
7												
8												
9	Sub-total (White-collar)											
10	CRAFTSMEN *(Skilled)*											
11	OPERATIVES *(Semi-skilled)*											
12	LABORERS *(Unskilled)*											
13	SERVICE WORKERS											
14												
15												
16	Sub-total (Blue-collar)											
17	TOTAL											
18	Total employment from previous report (if any)											
	THE DATA BELOW SHALL ALSO BE INCLUDED IN THE FIGURES FOR THE APPROPRIATE OCCUPATIONAL CATEGORIES ABOVE)											
19	ON-THE-JOB TRAINEES: WHITE COLLAR											
20	ON-THE-JOB TRAINEES: PRODUCTION											

29. SUMMARY ANALYSIS OR EMPLOYMENT AND TRAINING DATA

PAGE 3

30. SUMMARY, FINDINGS, CONCLUSIONS, RECOMMEDATIONS, AND AGREEMENTS

YES	NO	
		A. ARE REQUIRED POSTERS CONSPICUOUSLY DISPLAYED?
		B. HAVE REQUIRED WRITTEN NOTICES BEEN SENT TO UNIONS?
		C. ARE RECRUITING PUBLICATIONS USED TO SHOW "AN EQUAL OPPORTUNITY EMPLOYER"?
		D. ARE SUCH PUBLICATIONS CIRCULATED IN MINORITY ORIENTED COMMUNITIES?
		E. HAS CERTIFICATION RE USE OF NON SEGREGATED FACILITIES BEEN MADE?
		F. ARE SUCH FACILITIES IN EFFECT PROVIDED ON A NON SEGREGATED BASIS?
		G. HAVE OTHER REPORTS REQUIRED BY FEDERAL, STATE, MUNICIPAL, OR OTHER STATUTES, REGULATIONS, DIRECTIVES, ETC., BEEN SUBMITTED?
		H. HAVE GOALS, TARGETS AND OTHER CONDITIONS OF AFFIRMATIVE ACTION COMPLIANCE PROGRAMS BEEN IMPLEMENTED IN SATISFACTORY OR ACCEPTABLE MANNER?
		I. HAVE COMPLIANCE OR OTHER REVIEWS MADE BY OTHER AGENCIES RESULTED IN A DETERMINATION OF COMPLIANCE?
		J. ARE PRESCRIBED EQUAL EMPLOYMENT OPPORTUNITY CLAUSES INCLUDED IN ALL APPLICABLE PURCHASE ORDERS, SUB-CONTRACTS, AND COLLECTIVE BARGAINING UNION AGREEMENTS?
		K. ARE APPLICATIONS FOR EMPLOYMENT ACCEPTED, AND ARE SELECTIONS IN EFFECT MADE, WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN?
		L. ARE TRANSFER, WAGE, TRAINING, MANPOWER DEVELOPMENT, PROMOTION AND OTHER EMPLOYMENT PRACTICES ACHIEVING EQUAL EMPLOYMENT RESULTS?

31. OTHER SIGNIFICANT OBSERVATIONS, COMMENTARY AND/OR DEFICIENCIES AND VIOLATIONS. *(SHOULD BE INDIVIDUALLY NUMBERED)*

32. RECOMMENDATIONS AND AGREEMENTS FOR CORRECTIVE ACTION AND TIME SCHEDULE *(INDIVIDUALLY NUMBERED)*

33. REVIEWED BY (INCLUDE COMMENTARY MEMO IF NON-CONCURRENCE)	☐ A. REGIONAL DIRECTOR	☐ CONCUR	☐ DO NOT CONCUR	SIGNATURE AND DATE
	☐ B. REGIONAL OFFICE OF CIVIL RIGHTS	☐ CONCUR	☐ DO NOT CONCUR	
	☐ C. DIRECTOR OF CIVIL RIGHTS	☐ CONCUR	☐ DO NOT CONCUR	
34. CONDUCTED BY	☐ A. REGIONAL OFFICE	SIGNATURE, TITLE AND DATE		
	☐ B. CENTRAL OFFICE	SIGNATURE, TITLE AND DATE		

GPO 906-715

PAGE 4

Figure VIII-2 (Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

COMPLIANCE SURVEY OF SPONSORS

1 REVIEW REPORT NUMBER

2. ☐ PUBLIC BODY ☐ CONTRACTOR

3. REVIEW AUTHORITY ☐ 49 CFR PART 23 ☐ CIVIL RIGHTS ACT 1964 AS AMENDED ☐ OTHER *(Specify)*

4. ☐ PRE-AWARD REVIEW ☐ POST-AWARD REVIEW ☐ FOLLOW-UP REVIEW

5. PRIORITY GROUP

6. PROJECT NO.

7. ☐ COMPREHENSIVE REVIEW ☐ SPECIAL REVIEW

8. DATE OF REVIEW

9. GROSS COST

10. NET COST

11. FEDERAL SHARE

12. PERCENT COMPLETED

13. NAME AND ADDRESS OF SPONSOR

14. NAME AND TITLE OF PRINCIPAL OFFICIAL

15. NAME AND TITLE OF EQUAL OPPORTUNITY OFFICER

16. IS WRITTEN AFFIRMATIVE ACTION COMPLIANCE PROGRAM AVAILABLE ☐ YES ☐ NO

17. PROJECT SCHEDULE

APPROVAL DATE

ESTIMATED COMPLETION DATE

18. DETERMINATION OF COMPLIANCE STATUS: ☐ IN COMPLIANCE ☐ IN NON-COMPLIANCE ☐ SEE FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND AGREEMENTS, DETAILS PAGE 4 ITEMS 30 & 31

19. EMPLOYMENT DATA

LINE NO.	JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICAN		TRAINEES (POST EMPLOYMENT)	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
1	OFFICIALS (MANAGERS)														
2	SUPERVISORS														
3	PROFESSIONALS OR														
4	ACCOUNTANTS														
	ARCHITECTS														
	ATTORNEYS														
	ENGINEERS														
	MATHEMATICIANS														
	PLANNERS														
	OTHERS														
5	OPERATORS														
6	MECHANICS														
7	DISPATCHERS														
8	OFFICE AND CLERICAL														
9	SERVICE WORKERS														
10															
11															
12															
13	TOTAL														
14	TOTAL EMPLOYMENT FROM PREVIOUS REPORT (IF ANY)														
15	TRAINEES (SEE ITEM 24)														

20. SUMMARY ANALYSIS OF EMPLOYMENT DATA

FORM UMTA P-32 (Rev. 7-71)

PAGE 1

21. COMMUNITY CONTACT INFORMATION RE. SPONSOR *(Indicate name, address, telephone no. and community organization, where applicable, of person interviewed. Also show date and place of interview)*

22. PERSONNEL ACTION DATA *(Use figures for previous six months)*

DIRECTIONS: Except for promotions, positions listed under "Personnel Requests" must be repeated for all other personnel actions.
NOTE: Title VII of the Civil Rights Act of 1964 places certain restrictions on personnel requests by sex.

ACTIONS	POSITIONS	TOTAL		TOTAL MINORITIES		NEGRO		ORIENTAL		AMERICAN INDIAN		SPANISH SURNAMED AMERICANS		PER CENT MINORITIES
		M	F	M	F	M	F	M	F	M	F	M	F	
PERSONNEL REQUESTS														
APPLICATIONS														
INTERVIEWS														
HIRES														
PROMOTIONS														

SOURCE OF PERSONNEL ACTION DATA

☐ SPONSOR'S FILES ☐ CIVIL SERVICE FILES ☐ OTHER *(Specify)*

23. INFORMATION IN ITEMS 22, 24 AND 26 BEGINS WITH MONTH OF

PAGE 2

Figure VIII-3--Compliance Survey of Sponsors
(Page 1 of 2)

24 POST EMPLOYMENT TRAINING *(Exclude training necessary for continued employment)*

CATEGORIES	TOTAL ELIGIBLE	NO. MINORITIES ELIGIBLE	TOTAL APPLIED	NO. MINORITIES APPLIED	TOTAL SELECTED	NO. MINORITIES SELECTED

25. SUMMARY ANALYSIS OF PERSONNEL ACTION DATA AND POST-EMPLOYMENT TRAINING

26. NO. OF EMPLOYEES DISCIPLINED OR PENALIZED; DISCIPLINE OR PENALTIES; REASONS *(Identify each employee by non-minority or minority group)*

27. NO. OF EMPLOYEES WHO LEFT DURING PREVIOUS MONTH, NAMES AND REASONS *(Identify each employee by non-minority or minority group)*

28. SUMMARY OF EMPLOYEE INTERVIEWS *(Interview at least one minority and one non-minority employee of the sponsor. Show date and place of interview.)*

PAGE 3

29. SUMMARY, FINDINGS, CONCLUSIONS, RECOMMENDATIONS, AND AGREEMENTS

Yes	No	
		A. ARE REQUIRED POSTERS CONSPICUOUSLY DISPLAYED?
		B. DOES SPONSOR ADVERTISE AS "AN EQUAL OPPORTUNITY EMPLOYER"?
		C. IS SPONSOR'S OUTREACH EFFORTS, IF APPLICABLE, CONSISTENT WITH FEDERAL LAW?
		D. IS ACTUAL USE OF PHYSICAL FACILITIES CONSISTENT WITH THE TITLE VI REGULATIONS?
		E. DID EXAMINATION OF APPLICATION AND TESTING FORMS SHOW INCONSISTENCIES WITH FEDERAL GUIDELINES AND THE TITLE VI REGULATIONS?
		F. DO PERSONNEL FILES INDICATE RACE OF EMPLOYEES, BY CODE OR OTHERWISE, IN VIOLATION OF TITLE VII?
		G. IS ADMINISTRATION OF TESTING ON A NONDISCRIMINATORY BASIS?
		H. IS EQUITABLE TRANSIT SERVICE PROVIDED ALL SEGMENTS OF THE COMMUNITY?
		I. DOES SPONSOR HAVE AN EFFECTIVE PROGRAM FOR FOLLOW-UP ON DISCRIMINATION COMPLAINTS?
		J. DO PROPOSED CONSTRUCTION PROJECTS, IF APPLICABLE, TEND TO PHYSICALLY ISOLATE OR DIVIDE THE MINORITY COMMUNITY?
		K. HAS FORMAL TRAINING BEEN ADMINISTERED TO STAFF IN SERVING MINORITY GROUP AND FEMALE APPLICANTS?
		L. HAS SPONSOR'S EMPLOYEES BEEN FORMALLY NOTIFIED OF SPONSOR'S NON-DISCRIMINATION POLICY?
		M. ARE CLAIM FORMS AND ADMINISTRATION OF CLAIMS CONSISTENT WITH THE TITLE VI REGULATIONS?

30 OTHER SIGNIFICANT OBSERVATIONS, COMMENTARY AND/OR DEFICIENCIES AND VIOLATIONS *(Should be individually numbered)*

31. RECOMMENDATIONS AND AGREEMENTS FOR CORRECTIVE ACTION AND TIME SCHEDULE *(Individually numbered)*

32. LIST OF ATTACHMENTS AND EXHIBITS TO THIS REPORT *(Individually numbered here and similarly on attachments and or exhibits)*

33. REVIEWED BY *(Include commentary memo if non-concurrence)*	☐ A. REGIONAL DIRECTOR ☐ CONCUR ☐ DO NOT CONCUR	SIGNATURE AND DATE
	☐ B. REGIONAL OFFICE OF CIVIL RIGHTS ☐ CONCUR ☐ DO NOT CONCUR	
	☐ C. DIRECTOR OF CIVIL RIGHTS ☐ CONCUR ☐ DO NOT CONCUR	
34. CONDUCTED BY	☐ A. REGIONAL OFFICE	SIGNATURE, TITLE AND DATE
	☐ B. CENTRAL OFFICE	SIGNATURE, TITLE AND DATE

GPO 914-088 PAGE 4

Figure VIII-3 (Page 2 of 2)

UMTA 8
7-69

U.S. Department of Transportation
URBAN MASS TRANSPORTATION ADMINISTRATION

CONSTRUCTION INSPECTION REPORT
(Contract Work)

PROJECT NO.	CONTRACT NO.
PROJECT SPONSOR	PRIME CONTRACTOR
INSPECTION LOCATION	INSPECTION DATE

BRIEF DESCRIPTION OF CONTRACT

All no answers require comment.	YES	NO
A. GENERAL		
1. Was contract work in progress?		
2. Did Project Sponsor's supervision seem adequate?		
3. Did Project Sponsor's inspection provisions seem adequate?		
4. Is contract presently on schedule?		
5. Is Project Sponsor taking action to arrest problems which might cause delays?		
6. Is work being performed in accordance with the approved scope of the project?		
7. Is Project Sponsor satisfied with contractor's arrangements for safety during construction?		
8. Has Project Sponsor checked to assure all required insurances are in effect?		
9 Was there an UMTA project sign on the site?		
10. Was the UMTA project sign maintained in good condition?		
11. Have all non-compliances noted in previous reports been corrected?		
B. EQUAL OPPORTUNITY, CIVIL RIGHTS & LABOR		
1. Were non-discrimination posters observed?		
2. Were observed non-discrimination posters prominently displayed?		
3. Was there visual or other evidence of compliance with Title VI of the Civil Rights Act of 1964?		
4.. Was there visual or other evidence of compliance with Exec. Order 11246?		
5. Is contract covered by an "affirmative action" program?		
6. Did review of contractor's payroll reports and related certifications indicate compliance with Federal labor requirements?		
7. Number of payrolls checked		

ACCOMPANIED BY

NAME	TITLE	ORGANIZATION

EVALUATOR _____ *Name* _____ *Date of Report*	SUBMITTED BY _____ *Name* _____ *Date of Submittal*
_____ *Signature* _____ *Title*	_____ *Signature* _____ *Title*

OVER FOR COMMENTS

Figure VIII-4-- Construction Inspection Report

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20591

REQUISITION FOR GRANT PAYMENT

(Check one)

☐ DEMONSTRATION GRANT
☐ CAPITAL GRANT ☐ RELOCATION GRANT
☐ TECHNICAL STUDIES

THIS BOX FOR USE OF DOT

D.O. VOUCHER NUMBER

DOT VOUCHER NUMBER

DATE PAID

NAME OF GRANTEE *(Same as in Grant Contract)*

MAILING ADDRESS AND ZIP CODE

REQUISITION PERIOD *(Check and complete as appropriate)*

( ) From _____ , 19___

through _____ , 19___
(Not more than 1 month in advance)

( ) Final Payment

PROJECT NUMBER

CONTRACT NUMBER

REQUISITION NUMBER

CASH DISBURSEMENTS - ACTUAL AND ESTIMATED		
1. Cash actually disbursed	$	
2. Additional cash disbursements actually to be made to the beginning of this requisition period		
3. Cash disbursements to be made during this requisition period		
4. Total of actual and estimated cash disbursements through the end of this requisition period *(sum of Lines 1, 2, and 3)*		$
CASH RECEIVED		
5. Federal grant payments received under previous requisitions	$	
6. Non-Federal cash contributions received or to be received to the beginning of this requisition period		
7. Other cash received or to be received to the beginning of this requisition period *(As: interest on invested funds, net operating revenues, proceeds from sales of property)*		
8. Total cash received or to be received to the beginning of this requisition period *(sum of Lines 5, 6 and 7)*		$
CASH NEEDED		
9. Estimated cash requirements for this requisition period *(Line 4 minus Line 8)*	$	
10. Non-Federal cash contributions to be received during this requisition period		
11. Other cash to be received during this requisition period *(same type as under Line 7)*		
12. FEDERAL GRANT REQUISITIONED HERE *(Line 9 minus Lines 10 and 11)*		$
(a) Reimbursement included in Line 12		
(b) Advance included in Line 12		
STATUS OF GRANT PAYMENTS		
13. Total Federal grant payments requisitioned to date *(sum of Lines 5 and 12)*	$	
14. MAXIMUM FEDERAL GRANT FOR WHICH ELIGIBLE UNDER CONTRACT		
STATUS OF NON-FEDERAL CONTRIBUTIONS		
15. Cash-equivalent contributions made or to be made to beginning of this requisition period *(cash value of paid services, land, equipment, supplies, etc.)*	$	
16. Total non-Federal cash and cash-equivalent contributions to the beginning of this requisition period *(sum of Lines 6 and 15)*		
17. Cash-equivalent contributions to be made during this requisition period *(same type as under Line 15)*		
18. Total non-Federal contributions to be made during this requisition period *(sum of Lines 10 and 17)*		
19. Total non-Federal contributions to the end of this requisition period *(sum of Lines 16 and 18)*		$

UMTA-6 (Rev 9 70)

(Over)

71-U-2114

Figure VIII-5-- Requisition for Grant Payment
(Page 1 of 2)

GRANTEE CERTIFICATES

I certify that the statements in the opinion and certificate dated _____, and filed with the executed Grant Contract, remain true and correct.

_____ *Date*

_____ *Attorney for Grantee*

I certify that the statements herein and in the supporting documents are correct and complete, and that the project is being carried out in conformity with the Grant Contract and the project budget.

_____ *Name of Grantee*

_____ *Signature of Authorized Officer*

_____ *Date*

_____ *Title of Authorized Officer*

ALL SPACES BELOW FOR USE OF DEPARTMENT OF TRANSPORTATION

There is no legal objection to payment of the grant in the amount requisitioned.

_____ *Date*

_____ *Attorney for UMTA*

I approve payment of the grant in the amount requisitioned.

URBAN MASS TRANSPORTATION ADMINISTRATION

_____ *Date*

By _____

ACCOUNTING CLASSIFICATION

APPROPRIATION SYMBOL AND TITLE	AMOUNT

GPO 899-236

UMTA-6 (Rev. 9-70)

Figure VIII-5 (Page 2 of 2)

Department of Transportation
Urban Mass Transportation Administration

URD/UMTA
July 1972

OFFICE OF RESEARCH, DEVELOPMENT AND DEMONSTRATION

REQUISITION/VOUCHER REVIEW

(Attach to each payment request)

Project No.	
Req/Voucher No.	
Date Rec'd.	

	Signature	Date
A. ADMINISTRATIVE/MATHEMATICAL REVIEW		

The requisition/payment voucher has been examined in accordance with the checklist on the back. Action based on finding:

a. ___ Correct and complete. Acctg. Code No. _____

b. ___ Corrective action needed as follows:

	Signature	Date
B. PROJECT MANAGER'S REVIEW		

1. I recommend (check)

   a. ___ Pay the amount requested. $_____

   b. ___ Waive the 10% withholding.

   c. ___ Reduce the payment to $_____.

   d. ___ Do not pay.

2. Explanation of 1b., c., or d., and action taken or required:

3. My recommended action is based on a current knowledge of the project status, supported by the following, as checked:

   a. ___ Executed grant/procurement contract; and evidence that any Special Conditions prerequisite to payment have been met (for first payment).

   b. ___ Review of project Progress Report through _____. (month & year)

   c. ___ Review of Financial Report for quarter ending _____.

   d. ___ Examination of Budget Expenditures Schedule, submitted with requisition, which (1) explains expenditures; (2) shows reasonableness of requested funds; (3) adheres to the line items in the latest approved budget and third party contracts concurred in by UMTA; and (4) assures that project expenditures are being incurred at the expected rate.

   e. ___ Resolution of all questions in close-out audit report (for final payment).

   f. ___ Other (specify) _____.

Figure VIII-6--Check-off Review Form (page 1 of 2)

CHECKLIST FOR ADMINISTRATIVE/MATHEMATICAL REVIEW OF GRANT REQUISITIONS
(Form UMTA 6)

1. Requisition period does not extend beyond one month in advance.

2. Reported data has been verified, where possible, with previous requisitions, and is prepared in accordance with UMTA instructions.

3. Mathematical accuracy of all computations has been verified.

4. Lines 3 and 4 are explained in grantee's transmittal letter or other documentation.

5. Line 5 is the same as line 13 of previous requisition.

6. Lines 7 and 11 are consistent with the amounts reported on the most recent Balance Sheet for investment income, sales proceeds from replaced properties, etc.

7. Line 13 does not exceed 90% of line 14 (unless a waiver has been or will be granted).

8. Line 14 is the same as the amount of the approved Federal grant.

9. Lines 16, 18, and 19 show that the required non-Federal contribution is being made currently in at least the proportion (1/3, 1/2) called for by the grant contract. (Should be consistent with latest Balance Sheet.)

10. Line 19 is not less than 1/3 (or other required non-Federal matching ratio) of line 4.

11. Grantee's certificatcns on back of requisition are complete.

REVIEW OF CONTRACT PAYMENT VOUCHERS

The contract payment voucher (usually on SF 1034/1035) is generally received by the Contracting Officer, who makes the administrative/mathematical voucher analysis. URD's review is essentially the type of review performed by Project Manager.

Figure VIII-6--Check-off Review Form (page 2 of 2)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: Demonstration/Research/URT Grants

FROM Associate Administrator for
Research, Development and Demonstration

TO Financial Management Division (UAD-20)

Project No. _____

Contract No. _____

Requisition/Invoice No. _____

Amount $_____

I have approved the above requisition/invoice in the amount indicated.

The original and three copies are forwarded herewith for payment. Please have one copy returned to the applicant when payment is made.

☐ If checked, I have waived the 10 percent withholding requirement based on copies of invoices or other documentation supporting the total cash requirements.

Robert A. Hemmes

Attachment

Figure VIII-7--Transmittal Memorandum

Standard Form 1034 7 GAO 5000 1034-113	PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL	VOUCHER NO. 12

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Department of Transportation
Office of the Secretary
Procurement Operations Div.(Room9134-A)
400 Seventh Street, S.W.
Washington, D.C. 20590

DATE VOUCHER PREPARED: Dec. 10, 1971
CONTRACT NUMBER AND DATE: DOT-UT- 10000 (o/14/71)
REQUISITION NUMBER AND DATE:

SCHEDULE NO.
PAID BY

PAYEE'S NAME AND ADDRESS:
The Belchfire Aircraft Co.
2183 Holland Rd.
Philadelphia, Pa. 19142

DATE INVOICE RECEIVED
DISCOUNT TERMS
PAYEE'S ACCOUNT NUMBER
GOVERNMENT B/L NUMBER

SHIPPED FROM | TO | WEIGHT

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT (*)
	November 1971	For detail, see SF 1035 Continuation Sheet, total amount claimed transferred from Page 1, SF1035 COST REIMBURSABLE				$34,784

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $ 34, 784

PAYMENT:
- ☐ COMPLETE
- ☒ PARTIAL
- ☐ FINAL
- ☐ PROGRESS
- ☐ ADVANCE

APPROVED FOR PROVISIONAL PAYMENT SUBJECT TO LATER AUDIT
EXCHANGE RATE = $1.00
BY
TITLE

DIFFERENCES
Amount verified; correct for
(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer)[2] (Title)

ACCOUNTING CLASSIFICATION

PAID BY

CHECK NUMBER ON TREASURER OF THE UNITED STATES
CASH $
DATE

CHECK NUMBER ON (Name of bank)
PAYEE[3]

[1] When stated in foreign currency, insert name of currency.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title
[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

PER
TITLE

Figure VIII-8--Public Voucher for Purchases and Services Other than Personal
(Page 1 of 2)

Standard Form 1035

Public Voucher for Purchases and Services Other Than Personal

CONTINUATION SHEET

U. S. ....Department of Transportation..... Sheet No. 1 of Bureau Voucher No. 5

(Department, bureau, or establishment)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Kinds of articles, item numbers of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT
Belchfire Aircraft 2183 Holland Rd Philadelphia,Pa.		Contract No. DOT-UT-10000	Target Cost			$10,387,252
			Fixed Fee			111,810
			Total			$10,499,062
			85% of Fixed Fee			$ 95,039
		Analysis of Claimed Current and Cumulative Costs and Fee Earned	Amount for Current Period Billed			Cumulative Am't From Inception to Date of this Billing
Major Cost Elements:						
		Direct Materials	$ -0-			$ -0-
		Other Directs	6,796			7,290
		Direct Labor) Manufacturing, Engineering, etc.)	12,270			54,909
		Overhead)	9,858			41,916
		General & Administrative Expenses	4,576			21,809
		Total Cost	$33,500			$125,924
		Fixed Fee Earned (Percentage of Completion - Cost Billed 01.21%)	1,353			1,353
		Total Amounts Claimed	$34,853			$127,277
Contract Reserves and Adjustments:						
		Withheld (1.5% of G&A Exp.)	$ (69)			$ (327)
		Net - Reserves and Adjustments	$ (69)			$ (327)
Adjusted Amounts Claimed:						
		Current and Cumulative Costs	$33,431			$125,597
		Fixed Fee	1,353			1,353
		TOTAL	$34,784			$126,950

Figure VIII-8 (Page 2 of 2)

COST AND PRICE ANALYSIS - RESEARCH AND DEVELOPMENT CONTRACTS	Form approved Budget Bureau No. 04-R128
This form is to be used in lieu of FAA Form 2515 as provided under FAPR 2-16.260-2, it will be executed and submitted with proposals in response to "Requests for Proposals," for the procurement of research and development services. If your cost accounting system does not permit analysis of costs as required, contact the purchasing office for further instructions.	PURCHASE REQUEST NUMBER
NAME AND ADDRESS OF OFFERER	TITLE OF PROJECT

DETAIL DESCRIPTION		ESTIMATED HOURS	RATE/HOUR	TOTAL ESTIMATED COST (Dollars)
1. DIRECT LABOR *(Specify)*				
TOTAL DIRECT LABOR				
2. BURDEN *(Overhead - specify)* DEPARTMENT OR COST CENTER	BURDEN RATE	X BASE =	BURDEN ($)	
TOTAL BURDEN				
3. DIRECT MATERIAL				
TOTAL MATERIAL				
4. SPECIAL TESTING *(Including field work at Government installations)*				
TOTAL SPECIAL TESTING				
5. SPECIAL EQUIPMENT *(If direct charge - specify in Exhibit B on reverse)*				
6. TRAVEL *(If direct charge)*				
a. TRANSPORTATION				
b. PER DIEM OR SUBSISTENCE				
TOTAL TRAVEL				
7. CONSULTANTS *(Identity - purpose - rate)*				
TOTAL CONSULTANTS				
8. SUBCONTRACTS *(Specify in Exhibit A on reverse)*				
9. OTHER DIRECT COSTS *(Specify in Exhibit B on reverse - explain royalty costs, if any)*				
10. TOTAL DIRECT COST AND BURDEN				
11. GENERAL AND ADMINISTRATIVE EXPENSE *(Rate % of item 10)*				
12. TOTAL ESTIMATED COST				
13. FIXED FEE OR PROFIT *(State basis for amount in proposal)*				
14. TOTAL ESTIMATED COST AND FIXED FEE OR PROFIT				

FAA Form 4400-2 (3-65) SUPERSEDES FAA FORM 2515-1

0052-625-9100

Figure VIII-9--Cost & Price Analysis Form
(Page 1 of 2)

15. OVERHEAD RATE AND GENERAL AND ADMINISTRATIVE RATE INFORMATION		
A. GOVERNMENT AUDIT PERFORMED	DATE OF AUDIT	ACCOUNTING PERIOD COVERED
B. NAME AND ADDRESS OF GOVERNMENT AGENCY MAKING AUDIT		C. DO YOUR CONTRACTS PROVIDE NEGOTIATED OVERHEAD RATES? ☐ NO ☐ YES *(If yes, name Agency negotiating rates)*

D. (If no Government rates have been established furnish the following information)

DEPARTMENT OR COST CENTER	RATE	BASE	TOTAL INDIRECT EXPENSE POOL	BASE FOR TOTAL

16. EXHIBIT A - SUBCONTRACT INFORMATION *(If more space needed, use blank sheets, identifying item number)*

NAME AND ADDRESS OF SUBCONTRACTOR(S)	SUBCONTRACTED WORK	SUBCONTRACT	
		TYPE	AMOUNT

17. EXHIBIT B - OTHER DIRECT COSTS *(Specify. If more space needed, use blank sheets, identifying item number)*

CERTIFICATE

The labor rates and overhead costs are current and other estimated costs have been determined by generally accepted accounting principles. Bidder represents: (a) that he ☐ has, ☐ has not, employed or retained any company or person *(other than a full-time bona fide employee working solely for the bidder)* to solicit or secure his contract, and (b) that he ☐ has, ☐ has not, paid or agreed to pay to any company or person *(other than a full-time bona fide employee working solely for the bidder)* any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of this contract, and agrees to furnish information relating to (a) and (b) above, as requested by the Contracting Officer.

(For interpretation of the representation including the term 'bona fide employee,' see (Code of Federal Regulations, Title 44, Part 150.)

NUMBER OF CONTRACTOR EMPLOYEES		STATE INCORPORATED IN
☐ 500 AND UNDER	☐ OVER 500	
☐ OVER 750	☐ OVER 1,000	
DATE	SIGNATURE AND TITLE OF AUTHORIZED REPRESENTATIVE OF CONTRACTOR	

Figure VIII-9 (Page 2 of 2)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
400 SEVENTH STREET, SW
WASHINGTON, D. C. 20590

Grant Authorization No._____
Effective Date_____
Expiration Date_____

In response to your recent communication requesting authorization for the use of General Services Administration (GSA) supply sources, we are pleased to provide you with the authorization identified above for use on (specific grant project or all projects funded by UMTA)

Please contact the GSA Supply Service Officer at the GSA regional office checked on the attached list of addresses to discuss supply sources and procedures to be followed in placing orders, establishing shipping and billing addresses and for establishing funding or project codes for your control accounting needs where purchases are made for several grants.

You are required to make payments promptly for supplies or services obtained through this arrangement, and DOT assumes no liability for the obligations incurred by your organization through the use of this authorization. Purchases under the authorization may be made only within approved UMTA grant budgets and only for purposes of furthering UMTA grant activities.

Please note the expiration date on the present authorization. If you wish to continue to use GSA supply sources for UMTA grants beyond that date without a break in authorization, a request for renewal must be submitted to this office at least 30 days prior to the expiration date.

Notification of change in the title or address of your organization must be submitted to this office within 60 days of such event.

Sincerely yours,

cc:
1. Office of Installations and Logistics
2. GSA, Regional Office
3. GSA, Washington Office

Figure VIII-10--Letter of Blanket Authorization

DEPARTMENT OF TRANSPORTATION
OFFICE OF INSTALLATIONS AND LOGISTICS
WASHINGTON, D. C. 20590

Grant Authorization No._____
Effective Date_____
Expiration Date_____

In response to your recent communication requesting authorization for the use of General Services Administration (GSA) supply sources, we are pleased to provide you with the authorization identified above for use on all Department of Transportation (DOT) grants.

Please contact the GSA Supply Service Officer at the GSA regional office checked on the attached list of addresses to discuss supply sources and procedures to be followed in placing orders, establishing shipping and billing addresses and for establishing funding or project codes for your control accounting needs where purchases are made for several grants.

You are requested to make payments promptly for supplies or services obtained through this arrangement, and DOT assumes no liability for the obligations incurred by your organization through the use of this authorization. Purchases under the authorization may be made only within approved DOT grant budget and only for purposes of furthering DOT grant activities.

Please note the expiration date of the present authorization. If you wish to continue to use GSA supply sources for DOT grants beyond that date without a break in authorization, a request for renewal must be submitted to this office at least 30 days prior to the expiration date.

Notification of change in the title or address of your organization must be submitted to this office within 60 days of such event.

Sincerely yours,

cc:
1. DOT Administration(s)
2. GSA, Regional Office
3. GSA, Washington Office

Figure VIII-11--Letter of Individual Authorization

GSA REGIONAL ADDRESSES

General Services Administration - Region_____
Federal Supply Service

REGION I

605 U.S. Post Office and Courthouse
Boston, Massachusetts 02109
Phone: 617-223-2665

REGION II

26 Federal Plaza
New York, New York 10007
Phone: 212-264-3593

REGION III

7th & D Streets SW
Washington, D.C. 20407
Phone: 202-963-6241

REGION IV

1776 Peachtree
Atlanta, Georgia
Phone: 404-526-5765

REGION V

219 South Dearborn Street
Chicago, Illinois 60604

REGION VI

1500 East Bannister Road
Kansas City, Missouri 64131
Phone: 816-361-7364

REGION VII

819 Taylor Street
Fort Worth, Texas 76102
Phone: 817-334-2516

REGION VIII

Denver Federal Center
Denver, Colorado 80225
Phone: 303-233-8439

REGION IX

Northern Area
49 Fourth Street
San Francisco, California94103
Phone: 415-556-6103

Southern Area
Bldg. 7, Federal Service Center
Bell, California 90201
Phone: 213-263-7007

REGION X

GSA-Federal Supply Service
10FQ GSA Center
Auburn, Washington 98002
Phone: 206-833-5295

Figure VIII-12--List of GSA Regional Addresses

REQUIRED CLAUSES

Clause	Construction Contract	Equipment Contract	Professional Services Contract
I. INVITATION TO BID			
A. Statement of Financial Assistance.....	x	x	
B. Ineligible Bidders.....	x	x	
II. CONTRACT SPECIFICATIONS			
A. Contract Changes.....	x		
B. Government Inspections.....	x		
C. Ineligible Contractors.....	x		
D. Interest of Members of Congress.....	x	x	x
E. Audit and Inspection of Records.....	x		x
F. Equal Employment Opportunities.....		x	x
G. Prohibited Interest.....	x	x	x
H. Nondiscrimination.....	x		
I. Safety and Health Standards.....	x		
J. Project Signs.....	x		
K. Prime Contractor Participation.....	x		
L. Warranty of Construction.....	x		
M. Affirmative Action.....	x		
N. Patent Rights.....			x
O. Motor Vehicle Safety Standards.....		x	
P. Motor Vehicle Pollution Requirements.		x	
Q. Labor Provisions.....	x		

Figure VIII-13

Project No._____

Proposed Contract for_____

_____

PROFESSIONAL SERVICES CONTRACTS

Review Check List for Proposed Contracts

		Yes	No	N/A
I.	Has the following information been received?			
	1. Name of each firm considered	___	___	___
	2. Copy of each proposal received	___	___	___
	3. Basis for selection of proposed firm	___	___	___
	4. Qualifications of the proposed firm	___	___	___
	5. Basis for compensation and is it reasonable	___	___	___
II.	Does the contract contain the following requirements?			
	1. Audit and inspection of records	___	___	___
	2. Equal employment opportunity	___	___	___
	3. Interest of members of Congress	___	___	___
	4. Interest of public officials	___	___	___
	5. Patent rights	___	___	___
	6. Maximum compensation and is it within budget	___	___	___
III.	Are the following provisions in the Contract?			
	1. Clear definition of the scope of the services	___	___	___
	2. Contract period that begins after the approval date of the project and ends in a reasonable time	___	___	___
	3. Periodic submission of progress reports	___	___	___
	4. Nonassignment of work to subcontractors unless prior approval is received from project sponsor	___	___	___
	5. Method of paying for services and submission of invoice to project sponsor to support payments	___	___	___
	6. Termination for and without cause	___	___	___

Figure VIII-14--Pre-award Checklist
(Professional Services Contracts)
(Page 1 of 2)

	Yes	No	N/A
7. Project sponsor will retain ownership of documents, methodological explanation, etc.	___	___	___
8. Maintenance of records to show actual time devoted and costs incurred	___	___	___
IV. Has notice been placed in follow-up folder to ask for copy of executed contract in 30 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure VIII-14 (Page 2 of 2)

Project No._____

Contract No._____

EQUIPMENT CONTRACTS

Prebid Review Check List

		Yes	N/A	No
I.	Are the listed required provisions included in the following documents?			
	A. Invitation to Bid, Advertisement or Solicitation:			
	1. Statement of Financial Assistance	___	___	___
	B. Contract Specifications:			
	1. Air Pollution	___	___	___
	2. Contract Security--100% Performance & 50% Payment Bonds	___	___	___
	3. Interest of Members of Congress	___	___	___
	4. Motor Vehicle Safety Standards	___	___	___
	5. Equal Employment Opportunity	___	___	___
	6. Prohibited Interests	___	___	___
II.	Is estimated cost within amount budgeted for the item?	___	___	___
III.	Is equipment within the scope of the project?	___	___	___
IV.	Are Specifications nonrestrictive (Buy American, brand names, etc.)?	___	___	___
V.	Has notice been placed in follow-up folder to ask for executed documents in 45 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure VIII-15--Pre-award Checklist
(Equipment Contracts)

Project No._____

Contract No._____

CONSTRUCTION CONTRACTS

Prebid Review Checklist

		Yes	N/A	No
I.	Are the listed required provisions included in the following documents?			
	A. Invitation to Bid, Advertisement or Solicitation:			
	1. Equal Opportunity Compliance	___	___	___
	2. Ineligible Contractors	___	___	___
	3. Statement of Financial Assistance	___	___	___
	B. Contract Specifications:			
	1. Air Pollution	___	___	___
	2. Certified Payrolls	___	___	___
	3. Changes in Construction Contracts	___	___	___
	4. Contract Security--100% Performance & 50% Payment Bonds	___	___	___
	5. Government Inspections and Audit	___	___	___
	6. Insurance--Workmen's comp., Public Liability, Vehicle & Prop. damage	___	___	___
	7. Grantee will carry builders' risk insurance, fire and extended coverage	___	___	___
	8. Interest of Members of Congress	___	___	___
	9. Labor Provisions	___	___	___
	10. Nondiscrimination	___	___	___
	11. Percent of work, prime contractor	___	___	___
	12. Prohibited interests	___	___	___
	13. Project sign	___	___	___
	14. Wage rates	___	___	___
	15. Affirmative action	___	___	___
	16. Ineligible contractor	___	___	___
	17. Safety and Health Standards	___	___	___
II.	Is estimated cost within amount budgeted for work?	___	___	___

Figure VIII-16--Pre-Award Checklist
(Construction Contracts)
(Page 1 of 2)

		Yes	N/A	No
III.	Is contract period within project schedule?	___	___	___
IV.	Is work within the scope of the project?	___	___	___
V.	Are Specifications nonrestrictive (Buy American, brand names, etc.)?	___	___	___
VI.	Have affected parties been relocated?	___	___	___
VII.	Has property been acquired and has UMTA concurred in price?	___	___	___
VIII.	Has notice been placed in follow-up folder to ask for executed documents in 60 days?	___	___	___

REMARKS:

Date of Review Reviewer Division Director

Figure VIII-16--Pre-Award Checklist
(Construction Contracts)
(Page 2 of 2)

Project No._____

Contract No._____

EQUIPMENT ( ) OR CONSTRUCTION ( ) CONTRACT

Post Award Check List

	Yes	No	N/A
I. Have the following documents been submitted?			
1. Proof that bids invitations were published	___	___	___
2. A certified tabulation of all bids received	___	___	___
3. A copy of the bid proposal selected for award	___	___	___
4. A conformed and bound copy of the executed contract and its supporting documents	___	___	___
5. A copy of the notice to proceed	___	___	___
6. An opinion of the sponsor's attorney that all requirements of State and local law have been met	___	___	___
II. Is actual cost within budget?	___	___	___
III. Is award to the low bidder? If not, is there adequate documentation that low bidder was not responsive to the specifications?	___	___	___
IV. Is the successful bidder an eligible bidder (construction only)?	___	___	___
V. Has status of report form been prepared?	___	___	___
VI. Has pre-construction meeting been held?	___	___	___

REMARKS:

Date of Review Reviewer

Figure VIII-17--Post-Award Checklist

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

CONTRACT STATUS REPORT
as of _____

(See Instructions before preparation)

1 To: DEPARTMENT OF TRANSPORTATION URBAN MASS TRANSPORTATION ADMINISTRATION Washington, D.C. 20590 Attn: Financial Manager	FINANCIAL STATUS (In dollars)	
	6 Grant Amount	$
2 From:	7 Payments Received	$
	8 Unpaid Billings	$
3 Grant No.	9 Unbilled Performance	$
4 Type of Grant	10 Total Earnings for Work Performed	$
5 Appropriation(s) or Fund Citation(s) 69X4119	11 Advances Outstanding	$

12 Remarks

13 Signature and Title of Authorized Representative	14 Date

Figure VIII-18--Contract Status Report

TECHNICAL REPORT STANDARD TITLE PAGE

1. Report No.	2. Government Accession No.	3. Recipient's Catalog No.
4. Title and Subtitle		5. Report Date
		6. Performing Organization Code
7. Author(s)		8. Performing Organization Report No.
9. Performing Organization Name and Address		10. Work Unit No.
		11. Contract or Grant No.
12. Sponsoring Agency Name and Address		13. Type of Report and Period Covered
		14. Sponsoring Agency Code
15. Supplementary Notes		
16. Abstract		
17. Key Words	18. Distribution Statement	

19. Security Classif. (of this report)	20. Security Classif. (of this page)	21. No. of Pages	22. Price

Form DOT F 1700.7 (8-69)

Figure VIII- 19 --Technical Report Form
(Page 1 of 2)

HOW TO FILL OUT THE TECHNICAL REPORT STANDARD TITLE PAGE

Make items 1, 4, 5, 9, 12, and 13 agree with the corresponding information on the report cover. Use all capital letters for title (item 4). Leave items 2, 6, and 14 blank. Complete the remaining items as follows:

3. Recipient's Catalog No. Reserved for use by report recipients.

7. Author(s). Include corresponding information from the report cover. In addition, list the affiliation of an author if it differs from that of the performing organization.

8. Performing Organization Report No. Insert if performing organization wishes to assign this number.

10. Work Unit No. Use the number code from the applicable research and technology resume (for example, DoD Form 1498, FAA Form 1750.1, etc.) which uniquely identifies the work unit under which the work was authorized.

11. Insert the number of the contract or grant under which the report was prepared.

15. Supplementary Notes. Enter information not included elsewhere but useful, such as: Prepared in cooperation with...Translation of (of by)...Presented at conference of...To be published in...

16. Abstract. Include a brief (not to exceed 200 words) factual summary of the most significant information contained in the report. If possible, the abstract of a classified report should be unclassified. If the report contains a significant bibliography or literature survey, mention it here.

17. Key Words. Select terms or short phrases that identify the principal subjects covered in the report, and are sufficiently specific and precise to be used as index entries for cataloging. The sponsoring agency may specify that the key words shall conform to standard terminology, such as that given in the Department of Defense Thesaurus of Engineering and Scientific Terms or the Engineers Joint Council Thesaurus of Engineering Terms.

18. Distribution Statement. Enter one of the authorized statements used to denote releasability to the public or a limitation on dissemination for reasons other than security of defense information. Refer questions on the statements to the sponsoring agency.

19. Security Classification (of report). NOTE: Reports carrying a security classification will require additional markings giving security and downgrading information as specified by the sponsoring agency.

20. Security Classification (of this page). NOTE: Because this page may be used in preparing announcements, bibliographies, and data banks, it should be unclassified if possible. If a classification is required, identify the classified items on the page by an appropriate symbol.

21. No. of Pages. Insert the number of pages.

22. Price. Insert the price set by the Clearinghouse for Federal Scientific and Technical Information or the Government Printing Office, if known.

Figure VIII-19--Technical Report Form

(Page 2 of 2)

(Date)

Certification of Project Expenses

Cost Category	Amount Budgeted	Amount Expended
1.		
2.		
3.		
4.		
5.		
Total Project Cost		
Less: Project Income	(_____)	(_____)
Net Project Cost		

With full knowledge of the penalties prescribed in 18 U. S. C. 1001, cited below, I *(we)* hereby certify that the above financial summary is a complete and accurate presentation of final project costs, and that the *(grantee organization)*, in administering this project, has fully complied with the terms and conditions of the grant contract. Moreover, I *(we)* certify that the *(grantee organization)* has made its local contribution to the project as specified in the grant contract and final approved project budget.

(Signature and Title of Chief Financial Officer)

(Signature and Title of Chief Project Official)

Note:

XX Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statment or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both. (U. S. Code, Title 18, Paragraph 1001, page 552.)

UMTA Form 38

Figure VIII-20--Certification of Project Expenses

UMTA
GRANT PROJECT CLOSE OUT
CHECK LIST

To: UAD-10 Office _____

A. PROJECT NO. _____

B. PROJECT NAME _____
_____
_____

C. PROJECT MANAGER _____

[ ] 1. All project activity has been completed.

[ ] 2. All costs have been incurred and the final financial report has been accepted and the latest approved budget is correct.

[ ] 3. A final audit has been requested. Date of request _____

[ ] 4. Final audit report has been issued. Date of report _____

[ ] 5. Audit findings have been resolved. Date _____

[ ] 6. Final requisition paid or final return of funds made by grantee.

[ ] 7. The accounting office has been notified of this close out and has been requested to cancel any remaining grant reservation. Date _____

[ ] 8. It is requested that this project be closed. Date _____

Signature _____

Figure VIII-21--Grant Project Close Out Checklist
(Page 1 of 2)

UMTA
GRANT PROJECT CLOSE OUT
CHECK LIST

[ ] 9. A 1/6 grant is pending.

[ ] 10. Project Closed. Date _____

Signature _____

Instructions for Use. The Project Managers will fill out the data at the beginning of the form and indicate those items completed through item C.3., "request for final audit," and send the form to UAD-10. A file of pending check lists will be maintained in central files. Succeeding items are completed on the check list by UAD-10 who will officially close out the project and transfer the check list from the pending file to the project file.

A. REQUESTED BY: _____ DATE _____

B. PROJECT NO. _____ PROJECT NAME _____

C. CONTACT _____

ADDRESS _____

_____

D. TYPE OF AUDIT:

_____ ACCOUNTING INSPECTION _____ INTERIM

_____ FINAL _____ OTHER (SPECIFY) _____

E. REQUESTED COMPLETION DATE _____

F. Place a (✓) in the block provided below to indicate a positive response to each of the listed questions. If further comment is necessary, use the space remaining at the bottom of the audit request form.

☐ 1. The project is complete and all costs have been charged.

☐ 2. The final project balance sheets/financial statements have been received and contain a categorical cost breakdown in conformity with the latest approved project budget.

☐ 3. The date of the final project balance sheet is _____

☐ 4. A line item comparison has been made of actual costs incurred with budgeted amounts and all line items overruns and/or unbudgeted items have been resolved.

☐ 5. The latest approved project budget includes all charges necessitated by number 4 above, and represents the final budget.

6. The date of the latest approved project budget is _____

Figure VIII-22--Audit Request Form

UMTA
PROCUREMENT CONTRACT PROJECT CLOSE OUT
CHECK LIST

To: UAD-10 Office _____

A. PROJECT NO. _____

B. PROJECT NAME _____
_____
_____

C. PROJECT MANAGER _____

[ ] 1. All project activity has been completed.

[ ] 2. Final report has been received.

[ ] 3. Final audit required/not required by contracting officer.
Date _____.

[ ] 4. Remarks _____
_____
_____

[ ] 5. Final payment made

[ ] 6. It is requested that this project be closed. Date _____
Signature _____

[ ] 7. Project closed. Date _____
Signature _____

Instructions for Use: The Project Managers will fill out the data at the beginning of the form and indicate those items completed through item C.4., "remarks," and send the form to UAD-10. A file of pending check lists will be maintained in central files. Succeeding items are completed on the check list by UAD-10, who will officially close out the project and transfer the check list from the pending file to the project file.

Figure VIII-23--Procurement Contract
Project Closeout Checklist

UMTA
INTERAGENCY AGREEMENT PROJECT
CLOSE OUT CHECK LIST

To: UAD Office _____

A. PROJECT NO. _____

B. PROJECT NAME _____
_____
_____

C. PROJECT MANAGER _____

[ ] 1. Form 1080 or 1081 is in the Project File.

[ ] 2. All project activity has been completed.

[ ] 3. Final Report or other type of completion documentation has been received; (as for equipment purchased completed and/or facility modified or completed).

[ ] 4. Final audit required/not required by servicing Agency. Date _____ (See UMTA Order 2900.2)

Remarks _____
_____

[ ] 5. Final payment made.

[ ] 6. It is requested that this project be closed. Date _____

Signature _____

[ ] 7. Project Closed. Date _____

Signature _____

Instructions for Use. The Project Managers will fill out the data at the beginning of the form and indicate those items completed through item C.4. "request for final audit," and send the form to UAD-10. A file of pending check lists will be maintained in central files. Succeeding items are completed on the check list by UAD-10 who will officially close out the project and transfer the check list from the pending file to the project file.

Figure VIII-24--Interagency Agreement Project Closeout Checklist

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE:

In reply refer to:

SUBJECT: Demonstration/Research/URT Grants Project Close-Out

FROM : Associate Administrator for Research, Development and Demonstration

Thru : Director of Program Audit, UAD-30

TO : Financial Management Division (UAD-20)

Project No. _____

Contract No. _____

Requisition/Invoice No. _____ (FINAL)

Amount $_____

I have approved the above requisition/invoice in the amount indicated.

The original and three copies are forwarded herewith for payment. Please have one copy returned to the applicant when payment is made.

Based on the final audit, the actual project cost is determined to be $_____.

Estimated Project Cost	$_____
Actual Project Cost (based on final audit)	_____
Federal Funds Reserved	_____
Total Federal payments (including final payment)	_____
Unused Balance of Reservation	_____

The unused balance, if any, should be canceled.

Robert A. Hemmes

Attachment

Figure VIII-25 Sample Closeout Memo

Chapter IX
University Research and Training Grants

		Page
1.	General Authority and Requirements.....	IX-1
	a. Statutory Authority.....	IX-1
	b. Program Responsibility.....	IX-1
	c. Program Objectives.....	IX-1
	d. Eligible Participants.....	IX-2
	e. Program Content.....	IX-3
	f. Conferences and Seminars.....	IX-4
	g. Advisory Committee.....	IX-5
	h. Types of Project Costs.....	IX-5
	(1) Direct Costs.....	IX-5
	(a) Student Financial Support..	IX-5
	(b) Faculty and Staff Salary and Benefits.....	IX-7
	(c) Subsidiary Support.....	IX-8
	(2) Indirect Costs.....	IX-9
	i. OMB Guidelines on Allowable Costs-- OMB Circular No. A-21.....	IX-9
	(1) Allowable Costs.....	IX-9
	(2) Unallowable Costs.....	IX-10
	j. Patents and Copyrights.....	IX-11
	(1) Patents.....	IX-11
	(2) Copyrights and Rights in Data...	IX-13
2.	Review and Selection of Applications/ Proposals.....	IX-13
	a. Submittal of Applications/Proposals..	IX-13
	b. Proposal Format and Content.....	IX-13
	(1) Cover Sheet.....	IX-14
	(2) Abstract.....	IX-14
	(3) Narrative Statement of the Program.....	IX-14
	(a) Background.....	IX-14
	(b) Research Component.....	IX-15
	(c) Training Component.....	IX-16
	(4) Academic Personnel.....	IX-17
	(5) Administration and Organization.	IX-17
	(6) Funding and Budget.....	IX-18
	(7) Appendix.....	IX-20
	(8) Civil Rights' Requirements.....	IX-20
	(9) Return Card.....	IX-20
	c. Renewal Grants (Follow-on Funding) Application.....	IX-20
	d. Application Review and Evaluation....	IX-22
	(1) Initial Screening.....	IX-22
	(2) Evaluation--General.....	IX-23
	(3) Evaluation Criteria.....	IX-23
	(4) Evaluation Panel.....	IX-24

(5) Renewal Grants vs. New Applications..... IX-25
(6) Final Selection..... IX-25
e. Processing for Approval,..... IX-25
(1) Single Approval Package and Presentation..... IX-25
(2) Contents of Approval Package.... IX-25
(a) Approval Memorandum..... IX-25
(b) Information on Applicants Selected..... IX-25
(c) Legal Report..... IX-26
(d) Press Release Draft (With "Attachment One" Notification Form for Proposed Award of Contract or Grant)..... IX-26
(3) Routing the Approval Package.... IX-26
(4) Holding for Approval Release Date..... IX-27
f. Grant Contracts..... IX-27
(1) Completing the Grant Contracts.. IX-27
(2) Amending Grant Contracts..... IX-28
3. Grant Administration..... IX-28
a. Responsibility for Program Direction and Supervision..... IX-28
b. Establishing the Program Accounts.... IX-29
c. Safeguarding Program Funds..... IX-29
d. Coding Documents for Program Accounting Cost Allocation..... IX-29
(1) Approvals..... IX-29
(a) Non-Federal Organizations.. IX-29
(b) Federal Organizations..... IX-30
(2) Amendments (or Modifications) Non-Federal and Federal..... IX-30
(3) Requisition for Grant Payments.. IX-30
(4) Other Billings..... IX-30
(5) Cancellations..... IX-30
(6) Collections or Refunds..... IX-30
e. Modifications in the Program..... IX-30
f. Program Budget..... IX-31
g. Third-Party Contracts..... IX-32
h. Program Audits and Inspections..... IX-32
i. Requisitions for Grant Payments..... IX-32
j. Program Reports..... IX-33
(1) Financial Reports..... IX-33
(a) Monthly Statement of Financial Condition..... IX-33
(b) Monthly Grant Status Report..... IX-33
(c) Quarterly Budget Disbursement and Balance Report.. IX-33

Chapter IX (Cont'd)

(2) Progress Reports..... IX-33
(3) Research Reports..... IX-34
(a) Significant Research Findings..... IX-34
(b) University-Published Reports..... IX-34
(c) Statement of UMTA Sponsorship..... IX-34
(4) Final Reports..... IX-35
k. Disposing of Nonexpendable Property.. IX-35
l. Termination or Suspension of Grant... IX-35
m. Closeout of a Grant and Program..... IX-35
n. Retention of Records--Access to Records..... IX-36

CHAPTER IX

List of Figures

Figure No.	Title
IX-1	URT Proposal Invitation Letter
IX-2	URT Proposal
IX-3	Return Card
IX-4	Review Sheet
IX-5	University Grant Evaluation Sheet
IX-6	Program Accounting Code
IX-7	Requisition Instructions & Form
IX-8	Budget Disbursement & Balance Report
IX-9	Grant Status Report
IX-10	Progress Report
IX-11	Technical Report Summary
IX-12	Certification of Project Expenses

CHAPTER IX

UNIVERSITY RESEARCH AND TRAINING GRANTS

1. GENERAL AUTHORITY AND REQUIREMENTS

a. Statutory Authority.

The 1966 amendments to the Urban Mass Transportation Act of 1964 authorized grants for research and training in urban mass transportation (section 11 of the Act, see app. 2).

b. Program Responsibility.

The Office of Research, Development, and Demonstration has been delegated responsibility for administration of the program. Day-to-day program management is carried out by the Univeristy Research and Training and Managerial Training Grants Division (URD-50).

When the President's Reorganization Plan No. 2 of 1968 transferred most of the urban mass transportation assistance functions from HUD to DOT, the Plan provided that both DOT and HUD could administer projects under the authority of section 11 of the Act. This was implemented by a DOT-HUD Agreement executed September 10, 1968; the Agreement was subsequently revised, effective September 1, 1970, to invest DOT with the entire administrative responsibility. (See appendix 9 for text of the Agreement).

c. Program Objectives.

University research and training grants are administered with the following objectives:

* To encourage the development of new and revitalized academic curricula designed to attract and to educate increasing numbers of professionally trained people for research and operational positions in the urban transportation industry.

* To expand and strengthen the national capability for, and to carry on, high quality research and analysis of problems in urban transportation, and to provide expertise in urban transportation for Federal, State and local government needs.

* To assist in establishing facilities and activities which can be used by local, regional and State governments, other Federal agencies and private industry to help solve transportation problems in urban areas, and eventually to make these facilities and activities self-sustaining by reason of their excellence and their involvement with local and regional problems.

The research and training conducted under the program reaches both undergraduate and graduate levels. The work is multi- and interdisciplinary in nature, tapping the capabilities of such diverse academic departments as: urban planning; economics; architecture; civil, mechanical, and environmental engineering; and business and public administration.

A secondary impact of the program is the development of working relationships between a given institution and the urban transportation-related organizations in its geographic area. This involvement can develop non-federal sources of funding to support urban transportation research, provide the local transportation community with a source of highly knowledgeable help that in all probability would not otherwise exist, and offer employment opportunities to students for practical experience while working for their degree.

d. Eligible Participants.

(1) Grants may be made to public and private non-profit institutions of higher learning performing research and offering training in fields such as economics, the social sciences, engineering, the physical sciences, law, architecture, public administration, urban or metropolitan planning.

(2) Several institutions in the same geographic area may jointly sponsor an institute or program and make a joint application for Federal funds. Preference will be given to applicants which undertake such research and training by bringing together knowledge and expertise in the various social sciences and technical disciplines which relate to urban transportation problems. Grants will not be made to applicants which do not have, or do not propose to undertake, continuing programs of comprehensive research in problems of transportation in urban areas.

(3) Colleges offering two year programs of training leading to subprofessional employment in urban transportation fields are eligible only if they are associated with universities undertaking comprehensive programs of research in urban transportation.

(4) Participation in the section 11 grant program does not in any way affect an institution's eligibility for the other programs of the Urban Mass Transportation Administration. However, if funds for any part of the research and training program are sought from sources other than the UMTA Section 11 Grant Program (as discussed in section 6 of chapter VII concerning grants of UMTA, other DOT programs or other Federal grant programs), this must be fully explained in the application.

e. Program Content.

A university may request Federal funds to support research, or training, or both, but the university's program must include both research and training--whether these are locally or Federally supported. The required balance of research and training may be achieved through combining the programs and resources of two or more universities in a meaningful consortium.

A research activity is concerned with improving the state of knowledge about urban transportation; a training activity's primary orientation is teaching.

Universities are encouraged to develop special areas of expertise or interest within the interdisciplinary framework. Graduate and undergraduate involvement in faculty-sponsored research also is encouraged.

Research and training may be undertaken on both theoretical and practical problems of urban transportation. Some of these research activities may take the form of direct attacks on problems of immediate operational significance, whereas others may endeavor to extend the limits of fundamental knowledge and broaden the basic structure of research and training capabilities.

Proposals of research and training on other topics of comparable relevance to urban mass transportation problems may be offered. Programs may provide for research in a new field of study or may continue research in a previously studied area. Research into areas of concern to local urban transportation agencies is encouraged when such research complements the overall university research and training objectives. Research related to urgent transportation problems in specific metropolitan areas is also encouraged.

The university may offer courses or seminars related to the topics just discussed, including courses or seminars

related to the topics just discussed, including courses or seminars especially directed to students presently engaged in the study of public agencies, transit companies, and other transportation agencies, as part of its total urban transportation research and training program.

Experience has shown that complex urban problems can be solved through spirited multidisciplinary research and interaction, and that this interplay can be stimulated best by local management. Therefore, the primary responsibility for planning and selection of related tasks rests with the university program manager.

UMTA will, from time to time, indicate for the university's consideration areas of research or training which it feels are being ignored or, conversely, which it feels are receiving too much attention. UMTA does not intend to dictate the areas of investigation or education, but rather intends to foster a broad-based, relevant program of urban transportation research and training.

The research program is expected to provide broad support for the training program. At the same time, the research program is expected to maintain the highest standards of academic research and contribute, through publications, articles, seminars, symposia and the like, to the improvement of knowledge of urban transportation technology and methodology.

As to duration of grant, each applicant is asked to prepare plans for the operation of its institute or program over a period of two years. Continuing support may be provided upon review of the program, subject to the availability of funds.

f. Conferences and Seminars.

Conferences and seminars are an important part of the educational process and UMTA encourages the exchange of ideas and interactions which such events foster. However, prior approval by UMTA is necessary before any conferences or seminars are held under program sponsorship which are directed at local, State or national audiences and attract participants from outside the normal sponsoring university's faculty and student body. This approval should be requested when program directors are in a position to submit a draft agenda and list of principal speakers.

The conference publicity should mention that UMTA provides financial support to the program, but that the views

expressed or supported by the conference are not necessarily supported by the Urban Mass Transportation Administration or the Department of Transportation.

g. Advisory Committee.

An institution receiving a URT grant from UMTA should have an advisory body to the program director, to improve communications within the program and make appropriate policy recommendations. The following are suggested for the makeup of such a body, but the decision for exact membership is left to the discretion of the school:

* The chairman of each academic department participating in the program.

* A dean from each college whose faculty is involved in the program.

* The dean of each graduate school involved in the program.

* The Vice-President of Research, or Vice-President of Academic Affairs.

* The program director.

* Student representation, as appropriate.

* Community members representing local urban transportation.

The chairman of the advisory committee should be other than the program director. It is expected that an advisory committee will keep abreast of the program so that it may offer advice to the program director as it deems appropriate in order that the program participants adhere to the objectives, and that when a modification to the program is in order, UMTA will be notified accordingly.

h. Types of Project Costs.

(1) Direct Costs--

(a) Student Financial Support.--

* General--Money provided by these grants may be used for contributory support of individual students, to enable them to participate in approved programs, irrespective of their personal financial situation. Preference should be given to students who intend to make a career in the field

of urban transportation. Foreign nationals can be considered for support, provided they have initiated action to become U. S. citizens or have firmly indicated an intent to stay in this country and seek employment in the field of urban transportation. However, prior approval must be obtained from UMTA before providing support for foreign nationals.

* Type of Support--Funds provided to students to assist their participation will be in the form of stipends, usually fixed sums, which may be independent of the amount actually required for the participant's maintenance during the period of participation.

* Rates of Support--The academic year is used as the basis for calculating stipends and is considered to be two semesters or three quarters, depending upon the university system. Stipend levels are determined in accordance with university policy. In no event may a student supported under this program for an academic year receive more than $4,000 above tuition and fees, including nonresident charges, no matter whether the student is funded wholly or partly by the Federal grant. Normally, the provision of a stipend is expected to remove the necessity to seek outside employment. Undergraduate as well as graduate scholarships are permitted.

* Nonduplication of Benefits--Stipends or any other form of support from project funds may not be paid to participants who are receiving compensation, either directly or indirectly, from other Federal Government sources while participating in the project. Stipends may not be paid to an employee on leave of absence or under a similar arrangement whereby he furthers his education while receiving a salary or wage from his employer.

* Dependent Allowances--One allowance may be provided for each dependent allowable as an exemption under Federal income tax regulations. Dependent allowances may be paid for dependents not accompanying the participant to the project, as well as for those who do. The total number and amount of dependent allowances are to be set in accordance with university policies, subject to UMTA review. These allowances may be in addition to the support described previously in the discussion on rates of support.

* Travel Allowances--Travel funds consistent with the Office of Management and Budget guidelines described in OMB Circular No. A-21 are available for students as part of their participation in the program.

* Book Allowances--Full-time resident participating students may be provided with an allowance for actual costs of books and supplies up to $200 for the full academic year.

(b) Faculty and Staff Salary and Benefits.--Eligibility of faculty and staff salaries is based on three premises:

-- That the project is partly the work of the grantee institution and is not done solely for the Federal Government's benefit;

-- That persons engaged in the project do not earn more by virtue of the fact that their work is supported by the Federal grant as opposed to normal institutional sources;

-- That full-time faculty members have responsibilities at their institution which, in the absence of the grant, would require most of their time.

* Resident Staff--Salaries of faculty and other personnel constitute appropriate direct costs in proportion to the actual time each devotes to the project. Secretarial and clerical personnel may be paid at the prevailing rates of the institution.

* Summer Work--Staff may be employed under the grant program during the summer months, with salaries figured at their normal monthly rate. Summer work may be disallowed if UMTA determines that this work does not fit into the overall goals and objectives of the program.

* Salary Supplementation--Grant funds may not be used to compensate faculty members of the grantee institution for consulting or other time in addition to a regular full-time institutional salary covering the same general period of employment. Special exceptions may be made when the work to be performed is in addition to the individual's normal full-time duties and the additional compensation payment is commensurate with institutional policy. Grant funds may not be used to compensate an individual whose salary is already paid from other Federal grants.

* Employee Benefits--If, in the usual accounting practice of the grantee institution, the institution's contribution to employee benefits (social security, retirement annuities, etc.) is treated as direct cost, grant funds

may be requested to proportionately defray such expenses for program personnel.

(c) Subsidiary Support.--

* Health Insurance, Student Library Fees, etc.--These fees are normally allowable as a direct cost for those who participate in a project on an essentially full-time basis, provided: such fees are required and collected from all other students; participants are in full-time attendance during the project period; and the participants will actually be provided the relevant services.

* Permanent Equipment--The institution is ordinarily expected to have the facilities necessary to carry out the proposed activity. Purchase of permanent equipment with Federal funds is allowable when this equipment will be and will remain part of the continuing program in urban transportation. If equipment is to be purchased using the Federal grant funds, written permission must be requested from UMTA beforehand.

* Supplies and Materials--Records of expendable materials and supplies and their costs should be kept as a budget line-item for requisitioning funds and for audit purposes. These costs may be indicated in general terms unless the amount requested exceeds ten percent of the total direct operating costs, in which case more specificity is required.

* Computer Time and Other Major Facilities--Cost of computer time or other major facility services should be itemized as to cost per hour or day, and rates charged must not be greater than prevailing rates charged for similar services elsewhere in the institution. The significance of usage time in relation to the quality of the project must be clearly stated.

* Space Rental--The space and utilities necessary for conducting the project, such as office space, classrooms and other work-study facilities, should be furnished by the grantee institution out of their normal indirect charges.

* Publication Costs--Funds may be requested for nonpremium page charges and other costs for publication of research reports resulting from work conducted under the grant.

(2) Indirect Costs--As defined in OMB Circular No. A-21, indirect costs are those that have been incurred for common or joint objectives, and thus are not readily subject to treatment as direct costs of research agreements or other ultimate cost objectives. At educational institutions such costs normally are classified under the following functional categories: general administration and general expenses; research administration expenses; operation and maintenance expenses; library expenses; and departmental administration expenses. Indirect costs are also referred to as overhead and are usually computed as a percentage of all allowable direct costs.

Indirect costs shall be allowed on all allowable direct costs incurred under the proposed grant, at a rate determined by the cognizant Federal Audit Agency in accordance with procedures set forth in OMB Circular No. A-88. The rate when established shall be considered to be a predetermined rate covering the duration of performance and not subject to adjustment later. No indirect costs shall be allowed on expenditures which include overhead in their cost base computation.

i. OMB Guidelines on Allowable Costs--OMB Circular No. A-21.

The Office of Management and Budget has prescribed uniform principles and standards for determining costs allowable under Federal grants and contracts with educational institutions, in OMB Circular No. A-21.

(1) Allowable Costs--For every URT project, allowability of costs will be determined in conformance with the principles and standards set forth in OMB Circular No. A-21. In essence, costs are allowable if:

* made in conformance with the approved research and training program budget and the provisions of the contract.

* necessary to accomplish the program.

* reasonable for the goods or services purchased.

* they are actual net costs to the grantee university (price paid minus any refunds, rebates, or items of value received which have the effect of reducing the cost).

* they are incurred and are for work performed after the date of the grant contract (otherwise, specific authorization in writing from UMTA is required for the costs to be allowable).

* satisfactorily documented.

* treated uniformly and consistently in accounting policies and procedures approved and prescribed by UMTA for the grantee university and in those approved and prescribed by the grantee for its subcontractors.

(2) Unallowable Costs--For some types of cost, the determination of allowability or unallowability will depend on the nature of the circumstances under which they were incurred. For such doubtful cases, the guidelines and standards of OMB Circular No. A-21 apply. Some costs which are clearly unallowable are:

* Contributions and Donations. Contributions or donations to organizations or for any other purpose.

* Entertainment Costs. Cost of amusements, social events, and incidental costs relating to them, such as meals, beverages, lodgings and gratuities, unless such costs are a part of the fee charged for attendance at meetings.

* Meals. The cost of meals served at meetings of boards or committees.

* Fines or Penalties. Costs resulting from violations or failure to comply with Federal, State, and local laws and regulations.

* Interest and Other Financing Costs. Interest on borrowing (however represented), bond discounts, costs of financing and refinancing operations, and legal and professional fees paid in connection therewith, unless such legal and professional fees are specifically provided for in the program budget.

* Legal Expenses. Legal expenses for the prosecution of claims against the Federal Government.

* Meeting Attendance. Costs of attending or conducting meetings in facilities which are not available on a non-segregated basis.

* Other Meeting Expenses. Payment of stipend for attendance at meetings to persons other than those assigned to the program by the grantee.

* Travel. The difference between first-class air accommodations and less than first-class air accommodations is not allowable, except when less than first-class air accommodations are not available. Per diem or subsistence payments must be within existing State or local laws or regulations or as prescribed by the Federal "Standardized Government Travel Regulations" if the former do not apply.

* Salaries. Salaries of elected or appointed chief executive officers of a State, county, city, authority, or other public body.

* Preparation of Application. Costs of preparing an application for assistance under the Urban Mass Transportation Act of 1964 as amended.

* Uninsured Losses. Claims for actual losses incurred, where the sponsor is self-insured, or where the losses could have been covered by permissible insurance.

j. Patents and Copyrights.

(1) Patents--The patent policy of DOT and UMTA is governed by the President's Memorandum of August 23, 1971, (app. 8) updating the Statement of Government Patent Policy issued in 1963. See chapter VIII for discussion of the application of this policy to UMTA.

The following standard patent provision is included in all URT grant contracts:

"Patent Rights. In the event that any invention, improvement or discovery is conceived or first actually reduced to practice by the Institution or its consultants or employees, or by any contractor working for or under direction of the Institution, or employees or consultants of such contractor in the course of or under this grant, DOT shall promptly be given written notice thereof, which notice shall include complete information concerning the invention, improvement or discovery. Any such invention, improvement or discovery, together with all information designs, specifications, know-how, patent rights, and findings in connection therewith which arose or were developed in the course of the performance of this grant, shall be made available to the public through dedication, assignment to the Government, or such other means as the Secretary shall determine.

"The Institution agrees (1) to cooperate in the preparation and prosecution of any domestic or foreign patent applications which the Government may decide to undertake covering any such invention, improvement or discovery, (2) to execute any and all papers and other documents requisite to prosecuting such patent applications and making the same available to the public by assignment to the Government, dedication or otherwise, and (3) to secure the cooperation of technical personnel (including employees, consultants and contractors) working for or under the direction of the Institution in connection with this grant, in the preparation and execution of all such papers as may be required in the prosecution of such patent applications and the disposition of rights thereunder pursuant to this section.

"The Institution shall disclose, in the final grant report herein provided for, all inventions, improvements and discoveries developed in the performance of this grant or in any subcontract hereunder, and shall certify on the last page of such report that to the best of its knowledge and belief such disclosure has been made therein.

"The Institution shall require provisions, satisfactory to DOT, appropriate to effectuate the purposes of this section in all contracts entered

into by it with any person, firm, corporation or association whose services or undertakings are to be paid for in whole or in part with funds to be furnished by DOT under this grant."

(2) Copyrights and Rights in Data--Research reports and other technical materials produced under the program funded by UMTA may be published or otherwise disseminated by the university and its employees or students. However, no such materials may be copyrighted unless the consent of the Administrator has first been obtained in writing.

2. REVIEW AND SELECTION OF APPLICATIONS/PROPOSALS

a. Submittal of Applications/Proposals.

The application for a section 11 grant is a one-step procedure, under which a formal proposal is submitted, outlining in detail the proposed research and training program; and the organization, staff, faculty, and budget. Five copies of the proposal must be submitted to UMTA, signed by the proposed director of the program or institute and by an authorized officer of the applicant.

Proposals for the next academic year are submitted in response to a mid-September call via invitation letter (see Figure IX-1) and public announcement by the Administrator of UMTA. A submittal deadline date is set at the time of announcement, usually late November, to allow for selection and announcement of awards by February. Proposals may be withdrawn by the applicant at any time prior to final action thereon by UMTA.

When a proposal results in a grant, it becomes part of the record of UMTA transactions, available to the public upon specific request. However, information submitted in support of a proposal, which UMTA and the grantee mutually agree to be of a privileged nature, will be held in confidence to the extent permitted by law.

b. Proposal Format and Content.

The proposal should consist of the following:

Cover Sheet
Abstract
Narrative statement of the program

Academic Personnel
Administration and Organization
Budget
Appendix (Optional)
Standard DOT Assurance of compliance with Title VI of the Civil Rights Act of 1964 requirements
Opinion of Counsel
Return Card

(1) Cover Sheet--Each proposal must have a cover sheet prepared in a standard format (see Figure IX-2) as the first page of the proposal.

(2) Abstract--The abstract, in two pages or less, should provide a synopsis of the research and/or training program proposed and the specific improvements in the institution's capability in the field of urban transportation and related areas being sought under the proposed program.

(3) Narrative Statement of the Program--The narrative should form the core document, encompassing whatever background may be needed to make the present college or university situation comprehensible to a reviewer not acquainted with the institution. The narrative should include the following information:

(a) Background.

* A brief description of the institution (such as might be submitted for inclusion in a national directory or handbook of colleges);

* A complete description of the management organization of the institute or program, including titles and responsibilities of administrative officers and their position in the organizational structure;

* A discussion of the study out of which the proposed program emerged, and an explanation of how the proposed program relates to the overall long-range development plans for participating academic departments and for the institution as a whole and a description of any existing plans for future development of urban transportation and urban affairs areas

other than that for which support is being requested in this proposal, including amounts (over and above normal annual budgets) to be expended, and the sources of the funds;

* The specific rationale for selecting the departments involved in the proposal and for deferring or excluding others;

* The extent to which the institution expects to be able to maintain the proposed research and training activities after expiration of the award.

(b) Research Component.

* The relevance of proposed research to the development of training programs, either at the candidate university or in the academic community at large.

* The main area or areas of the proposed research and their relevance to overall existing needs in urban transportation, as well as to local urban transportation needs.

* The principal research projects to be undertaken during the period of the grant, with a description of each project, the problems to be investigated, the experimental and theoretical methods to be used, data to be collected, type of results expected, extent of the involvement of students, extent of interdisciplinary cooperation, and target dates for completion of projects and submission of final research reports. To guide applicants in the selection of suitable research projects, UMTA has a list of suggested research topics which is furnished at the time the call for applications is issued. This list is contained in the sample proposal provided in the following pages.

(c) Training Component.

* The relevance of the proposed educational activities to urban transportation.

* The extent to which the educational activities will improve the academic quality of the institution in regard to the study of urban transportation problems.

* The compatibility of the proposed educational activities with the institution's long-range research program and goals to meet future manpower needs in urban transportation.

* General educational objectives or desirable directions of change in the proposed program; and the plan, in sequential order, for implementation (listing specific dates, if known).

* Current graduate and undergraduate programs related to urban transportation and related areas; list of all courses and explanation of how these courses will be integrated into the grant program; and the number of students enrolled in each course at the time of application submission.

* Any new courses to be developed, with estimated date of initiation, specifying which courses will be developed if an award is made to the applicant institution and which courses will be developed by the institution regardless of support; and estimates of the number of students expected to enroll in these courses.

* The relationship of the urban transportation training activities to academic requirements (e.g., degrees to be awarded, credit hours).

* Description of any noncredit, short-term seminars or related educational activities to be offered.

* Extent of both graduate and undergraduate student involvement in the proposed training activities.

* Relationship, if any, to local requirements for professionally trained manpower in urban transportation.

(4) Academic Personnel.--The following information on academic personnel should be provided:

* A curriculum vitae of the program director and a list of his most important publications.

* Similar biographical information on the other academic staff members expected to be directly associated with the program; also, the significant role each individual will play in the research and/or educational portion of the program.

* The number of student research assistants, and their educational background; also, the role each will play in the research and/or education portion of the program.

* The names, titles and backgrounds of any other key scientific and technical personnel, including visiting professors, who will be directly associated with the program in an advisory or consulting capacity.

(5) Administration and Organization.--Applications should discuss the arrangements for the following, if relevant:

* Who are the members of the interdisciplinary advisory committee, and a discussion of the functions of the advisory committee.

* The organization of the various disciplines into a coherent program of research and training.

* The arrangements and operation of a multi-university consortium approach to research and training in urban transportation if used.

* The degree to which interaction with local transportation agencies is expected or will be sought.

* Plans and timetables for continuation of the programs after Federal support is terminated. (The number of years for which a university may request Federal support is not fixed; however, it is desirable to develop programs which show substantial local commitment and can therefore continue after only a few years of Federal support.)

(6) Funding and Budget.--Initial grants will normally be for a period of two years; accordingly:

* The level of program effort should be divided as evenly as possible between the two years. Universities wishing to vary the level of the program over several years of Federal funding may request adjustments in the rate of annual expenditures at the time of a renewal award.

* Funding requirements should be presented as a lump sum for each element of the program, i.e., each research project, training effort, symposium, etc. The sum of these elements should equal the amount of the grant requested. No portion of the non-Federal share may be derived from other Federal sources or consist of services, property, or funds used as the non-Federal share under other programs or grants.

* A cost breakdown for program elements and cost categories must be provided in line with a sample budget format provided to all applicants (see Figures IX-1 and 2). A budget cost breakdown is not required for each separate program element. The following backup material and explanations should be provided to support the cost breakdown:

  --Faculty Salaries.--The percentage of the time each faculty member or consultant is to devote to the project; his actual salary (for which the employer is unequivocally obligated) per month or year, times the length of the period involved (9 months, 10 months, etc.). If summer work is contemplated, the period of time and

basis for computing his remuneration should be shown. (This must conform with the university's standard procedure for such employment.)

--Student Stipends.--For each of the students to be involved in the program, a description of the activity to be undertaken (e.g., Graduate Student - Research Assistant; or Graduate Student - Teaching Assistant in Experimental Course; Undergraduate Scholarship); the amount of stipend proposed; period of support (differentiated between academic year and summer work); and basis for computing the stipend.

--Technical and Clerical Salaries and Wages.--Position title for each technical and clerical employee (e.g., secretary, laboratory assistant, etc.); and the annual salary or weekly wage.

--Supplies and Materials.--Any significant items should be listed.

--Equipment and Services.--Although the program is not designed to support expenditures for equipment and/or facilities, request for the purchase of equipment deemed absolutely essential for effective implementation of the proposed program will be considered. A full justification of need is required, with a precise description and estimated costs of each piece of equipment or service.

--Travel.--Funds may be requested for necessary travel to be performed by project personnel. The purpose and extent of The proposed travel and its relevance to the program must be specified briefly. the grantee institution's usual policies should be followed with respect to program travel, so far as they do not conflict with the allowable cost guidelines of OMB Circular A-21. Travel should be included for at least one faculty member to participate in two UMTA annual meetings.

--Fringe Benefits.--Insurance premiums, social security taxes, contributions to retirement funds, and other items of this nature may be included as items of program cost.

--Publication Costs.--Estimated cost of preparing and reproducing reports on the outcome of research conducted with grant support, i.e., purchase of reprints, journal page charges, necessary illustrations, etc.

--Other Direct Costs.--These should be itemized in sufficient detail (e.g., costs of computer time and rental of research equipment).

(7) Appendix.--Substantial background information too detailed for inclusion in the body of the proposal should be included in an appendix and referenced in the text of the application.

One copy of the institution's catalog should accompany the five copies of the application. Any other descriptive material which the applicant believes would assist the reviewers in understanding the institutional context of the program may be enclosed as part of the appendix.

(8) Civil Rights' Requirements.--UMTA requires that all persons be afforded equal opportunity without regard to race, color, religion, sex, or national origin in all phases of the grant program, including qualification, employment, training, upgrading and promotion. In making its application, the institution must affirm that it will comply with the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and DOT regulations thereunder, and that such compliance is fully applicable to the grant, to any program assisted thereby, to admission policies, housing, financial aid, use of university facilities, and other benefits. For a detailed review of DOT Civil Rights Assurances, refer to appendix 6, and also to DOT Order 1050.2, "Standard DOT Title VI Assurances." Even though the applicant institution has filed a similar assurance of compliance with some other Federal agency, it will be required to file a new assurance with UMTA.

(9) Return Card.--To facilitate a prompt acknowledgment by UMTA, applicants should prepare a self-addressed return card (See Figure IX-3). This card should be clipped to the cover of one copy of the application.

c. Renewal Grants (Follow-on Funding) Application.

A grant is not renewable automatically for continued Federal support if a university's program beyond the amount obligated by the grant contract. If continued support is needed, a new application is required. This updates the previous submittal and provides information on accomplishments

during the initial grant period and plans for the following year and beyond.

The very limited supply of program funds, in the light of the heavy demand, makes it imperative that UMTA provide program support where such support will most effectively carry out the purposes of the program. Consequently, a university's accomplishments and potential will be carefully evaluated before follow-on funding will be approved. In any event, it is UMTA's policy, in administering the program, to encourage universities to plan viable programs which can be continued without Federal support, and to screen out those which show little potential for such continuity.

Accordingly, when the Administrator issues the call for new applications, he also invites current grantees to submit applications for renewal grants. Such applications are somewhat different from original applications, as indicated below.

Part one of the application will consist of a detailed discussion of progress made to date in meeting the program set forth in the previous grant application, addressing the following areas, as applicable:

* Titles of research projects initiated, and those completed.

* Final research reports submitted to UMTA.

* New courses developed and total number of students who have completed the course, or are taking it if currently being held for the first time.

* Student Support:

  --total number of students supported

  --total dollars per grant

  --number who have graduated or received advanced degrees

  --present employment or activity of graduates

* Seminars or other meetings conducted for other than students, with dates and number of attendees.

* Discussion of any involvement with local urban transportation organizations.

* Faculty additions and losses.

* Any other pertinent areas for discussion.

* A one-page listing of all grants received and total costs incurred to date.

Part two of the application will consist of detailed plans for continuation of the present program, along the following lines:

* Detailed description of the proposed research and training program, with emphasis on research projects of a nature that can be used in solving current problems in urban transportation.

* Program continuation funding needs for the proposed grant period (a maximum grant level may be set by UMTA on the basis of available funds).

* Submission of a detailed budget assigning a dollar amount to each proposed project so that UMTA may indicate deletions in the case of reduced funding; also, indicating a five percent set-aside as an optional item to be used to cover expenses associated with visits to Washington to participate in panels, conducting special research, or making special studies.

* A statement for each research project indicating the expected date of submittal of the final report to UMTA and expected contribution to improving the state-of-the-art of urban transportation.

d. Application Review and Evaluation.

(1) Initial Screening.--As proposals are received, a preliminary review is made by the URD-50 Program Assistant to determine that they are complete and that all requirements have been met. A Review Sheet is completed and kept on file for each application. (See Figure IX-4). Proposals meeting the prescribed requirements, or those with minor omissions

or deficiencies that will not interfere with the evaluation (e.g., lacking the Title VI Assurances or Opinion of Counsel) will then be routed to the evaluation panel while the program director is notified to supply the missing documentation.

If there are substantive deficiencies (e.g., an integral part of the application is missing) or if the nature of the proposal is not in keeping with the intent of section 11, a proposal may be rejected and the Program Director notified.

(2) Evaluation--General.--Proposals submitted to UMTA will be reviewed and evaluation by a panel selected by the Department of Transportation. It is essential that the proposals be complete and organized according to the specified format to permit equitable evaluation. Each proposal will be reviewed as an entity, but elements of the budget may be negotiated with the applicant. Thus, amounts less than that requested may be approved, including the funding of a training component only. If appropriate, the review process will involve site visits to evaluate the proposed program and to assess the benefits to the institution and to the program. Selection for grants will be made in order of merit, to the extent of available funding. In cases of substantially equal merit, consideration will be given to other factors, such as disciplinary and geographical balances.

(3) Evaluation Criteria.--Evaluation of the following points will be made, but these will not necessarily determine UMTA's decision in awarding grants:

* Relevance of the program to urban transportation

* Extent to which the program will improve the academic quality of the institution in regard to research, curriculum, seminars and other educational programs relating to the study of urban mass transportation, and extent to which the training program will maximize contributions to and from training Fellows.

* Merit of the scientific and technological aspects of the research program, if involved, based upon the quality of the staff and research methodology.

* Compatibility of the program with the institution's long-range goals and DOT needs to meet future manpower requirements in urban mass transportation.

* Manner in which the disciplines involved are to be organized and integrated.

* Consistency of budgetary estimates with the type and level of the proposed work.

* Geographical location of the applicant institution. (An effort will be made to encourage the establishment of research and training programs of excellence in several regions of the country to insure broad relevance to metropolitan problems.)

* Extent to which opportunities are provided for participation of minority groups and colleges and universities serving minority groups.

* Degree of involvement with local urban transportation problems.

* Relationship of faculty-directed team research to attendant training program.

These criteria form the basis for an Evaluation Sheet which is used by the evaluation panel to rate and score each application and to document the reasons for selection or non-selection for final award of a grant. (See Figure IX-5.)

(4) Evaluation Panel.--The evaluation panel typically consists of 12 members, the representative breakdown being four members from UMTA, three from industry, and five from other DOT Administrations.

People designated to serve would ideally have all or some of the following backgrounds:

(a) prior participation in evaluating proposals or applications for funds;

(b) experience with some aspects of research and training programs;

(c) experience in working with educational institutions;

(d) some knowledge of urban transportation or related areas.

(5) Renewal Grants vs. New Applications.--The Section 11 authorization is "to assist in establishing or carrying on" research and training in urban transportation. UMTA takes the view that the limited funds available for the program can be used more effectively by helping universities to develop strong continuing programs. Its funding priorities thus tend to favor continuing support to worthy programs. No limit has been set on how many renewal grants UMTA will provide. For the time being, it will be necessary to appraise the situation each year, in terms of availability of program funds, individual school performance, potential for non-Federal support, and other factors. While the funding maximum remains at $3 million per year, it is inevitable that most funds will be for renewal grants; however, UMTA will continue to allocate a portion of the funds each year to support new programs.

(6) Final Selection.--The Director of University Research and Training (URD-50) reviews the results of the evaluation and makes recommendations for funding. These recommendations are then routed to URD-1 and the UMTA Executive Committee for review, then to the UMTA Administrator for final review and approval.

e. Processing for Approval.

(1) Single Approval Package and Presentation.--To simplify and accelerate the process of obtaining the Administrator's formal approval, the program manager will prepare a single approval package for the entire group of colleges and universities selected for grants from the current year's funds; and a single presentation will be prepared for the Administrator's pre-approval briefing.

(2) Contents of Approval Package.--The following documentation will be submitted in the approval package:

(a) Approval Memorandum. This is the Associate Administrator's transmittal, which becomes the formal approval document when the Administrator signs the "Approved" block at the end of the memorandum. It provides background information on the current year's funding, the volume and nature of the need and demand for funds, and the process for review, evaluation, and selection of the successful applicants.

(b) Information on Applicants Selected. A summary attachment will list all applicants proposed for

grants, and provide basic information and data on their programs. There will also be a program budget (with cash disbursement schedule) and an approval notification letter prepared for each selected applicant, ready for signature (but not to be dated until UPA notifies URD of the announcement date).

(c) Legal Report. The legal eligibility of each prospective grantee, and other legal conditions for approval of the grant, must be documented in a legal report. This may be either a single document encompassing reports on each grant, or separate reports for each, as UCC-1 deems most appropriate. While it is not essential that the program manager have each legal report in hand when preparing the approval package, he must be assured that each proposed grant has legal clearance for approval, and the approval memorandum will so state.

(d) Press Release Draft (with "Attachment One" notification form for proposed award of contract or grant). The program manager should discuss with UPA-1 the nature and form of public announcement to be made, and prepare a draft press release accordingly--either covering all of the grants as a group, or providing information on each separately.

(3) Routing the Approval Package.--When the approval package has been assembled, it will usually be routed for clearance as follows (and usually in this sequence):

* UCC-1--review and surname.

* URD-1--signature on the memorandum and project budget, and surname on the letter and press release draft.

* UAD-10/20/1--fund reservation and certification; financial management review and surname. Before routing to UAD for fund reservation, the project manager must designate the program account code number, which indicates the account to be charged in accordance with accounting requirements (See Figure IX-6). This number should be entered at the bottom of the yellow file copy of the memorandum and each approval letter. The same number will thereafter be put on all requisitions or payment vouchers.

* UPA-1--review and surname.

* UOA-10/2/1--review and Administrator's approval signature on the memorandum (and date), and signature on the letters (but not dated).

The routing indicated above is the standard routing for approval packages, but the routing should also include UPO, UPP, or UCR when the subject matter involves any activity for which those offices have responsibility, or which may affect their activities in some foreseeable way.

(4) Holding for Approval Release Date.--When the Administrator has signed the approval documents, the entire package is returned: first, to URD-50, where the program manager's secretary accounts for all distribution copies, but does not dispatch them; then, the package is hand carried to UAD-10. The press release draft and the four copies of the memorandum marked for UPA are routed to UPA for action on preparation of the final press release and congressional notification (see section 8 of chapter VII, for detailed procedures). The remainder of the package is held by UAD-10 until notified by UPA of the scheduled announcement date. Meanwhile, UAD-10 also updates its project information report records. On the scheduled release date the approval letters are sent out, and all copies of the memorandum and letters are distributed. One copy of each goes to UAD-41, for input to update the MIS data system.

f. Grant Contracts.

(1) Completing the Grant Contracts.--The Office of Chief Counsel, Program Division (UCC-30) will prepare the grant contracts as soon as possible after the Administrator's approval, and will transmit three copies of each to the project sponsor for execution. The sponsor should sign--but not date--all three copies and return them to UMTA within 30 days of their receipt. The signed contracts shall be accompanied by an opinion (one copy only) of the sponsor's attorney regarding the sufficiency of the proceedings, and a certification concerning any legislation which may have been enacted subsequent to the legal opinion filed with the project application or any litigation, either pending or threatened, which could affect the completion of the program in accordance with the terms and conditions of the grant contract. UMTA should be advised promptly if the contract cannot be executed by the project sponsor within 30 days. When UCC-30 has reviewed each contract and the attorney's opinion, all copies will then be routed to UAD-10 for update of the control record,

followed by their submission to the Associate Administrator for signature. The signed contracts will be returned to UAD-10, which will send one executed copy back to the sponsor, and distribute the others to the Project File and to the Division of Financial Management (UAD-20). UAD-10 will be furnished an extra copy, conformed, for its contracts reference book.

(2) Amending Grant Contracts.--An amendment to the grant contract may become necessary to change materially the scope of the program, alter the design of the program, or change the cost and the amount of the Federal grant.

Any increase in the Federal grant will depend upon the adequacy of the justification presented by the sponsor and the availability of grant funds.

Any request to amend the grant contract must be submitted by letter. A requested change in the project scope must be specifically identified and explained. Any result for a change in funding must be accompanied by:

* A revised budget;

* An amended legal opinion.

3. GRANT ADMINISTRATION

a. Responsibility for Program Direction and Supervision.

The university, as program sponsor, is wholly responsible for the administration of the program and compliance with the terms and conditions of the grant contract.

Program sponsors, in the attainment of the program objectives, should:

* Provide continuous administrative direction to program operations.

* Provide directly,or by contract, adequate technical inspection and supervision by qualified professionals of all work in progress.

* Assure conformance to plans for the program specified in the application, contract requirements, and applicable codes, ordinances, and other regulations.

* Maintain the work program schedule.

Inspection and/or concurrence by UMTA in program work does not relieve the program sponsor of its responsibilities.

Attachment A to OMB Circular A-101 prescribes standard policies and practices for administration of research projects at educational institutions. UMTA's administration of the University Research and Training Grants Program is intended to conform with these standards and guidelines.

b. Establishing the Program Accounts.

The university is required to establish and maintain a separate set of accounts for each grant. Descriptions of these accounts are contained in the Accounting Procedures for UMTA Grant Programs. Deviations from these accounting procedures require prior written concurrence from UMTA.

UMTA's auditors or their authorized representatives may visit the sponsor shortly after approval to review the accounting procedure established by the sponsor, and to answer questions with respect to program accounting. The visit may be initiated by UMTA or may result from a request by the sponsor.

c. Safeguarding Program Funds.

The university will safeguard all funds becoming available to it for approved activities under the grant (including funds becoming available to it for deposit, or deposited, in the program account) by insurance or fidelity bonds or by taking such other action as may be approved by UMTA.

d. Coding Documents for Program Accounting Cost Allocation.

The program manager is responsible for indicating the program code number on certain documents which affect cost allocation of program funds. These are the so-called accounting documents which are forwarded through UAD-20 to TAD-45. Accounting documents include the following:

(1) Approvals.--

(a) Non-Federal Organizations.--Any letter, memorandum, or form used to officially notify an applicant, proponent, or successful bidder of a grant or contract award.

(b) Federal Organizations.--Any letter, memorandum of understanding, or interagency agreement that indicates mutual acceptance of a project or task.

(2) Amendments (or Modifications) Non-Federal and Federal.--Any letter, memorandum form, or interagency agreement used to officially notify (or indicate acceptance of) grantees, contractors, or participating agencies of a change in the financial terms and conditions of an ongoing project.

(3) Requisition for Grant Payments.--

(4) Other Billings.--Any invoice, statement, or voucher used to claim payment (or request advances) under contractual agreements.

(5) Cancellations.--Any letter, memorandum, or form used to officially notify a grantee, contractor, or participant of UMTA's cancellation of the undisbursed balance of an approved grant, contract, or agreement.

(6) Collections or Refunds.--Any statement or UMTA bill accompanying a remittance from a grantee, contractor, or participant. If a statement is not provided by the tendering organization, a memorandum must be prepared to properly identify the project with the program code applicable to the transaction.

DOT Order 2700.5A, "Consolidated Accounting System Users Manual," provides a full discussion of the system requirements. For the purpose of determining the appropriate program code number, see Figure **IX-6.**

e. Modifications in the Program.

UMTA requires the university's program director to make a continuing evaluation of the program once it is under way, and expects that this may lead to appropriate changes. It is UMTA's desire to allow the university's program director as much flexibility in the administration of the grant as may be consistent with UMTA's responsibility for overseeing the use of public funds.

Minor changes in the program do not require UMTA approval but may be effected by the program director. A minor change is one which satisfies all of the following criteria:

* It does not affect the overall purpose or scope of the approved program.

* It does not involve a change in personnel

charged with responsibility for any major component of the program.

* It does not result in a net increase in the total UMTA grant for the program, or a net change of more than 10% in any line item of the approved budget.

* It does not involve the deletion of any line item in the approved budget, nor the addition of a new line item.

Any change which does not satisfy all four of these criteria is considered a major change and requires prior UMTA approval. A request for a major change should indicate which activities are to be modified and the amount budgeted for them in the approved budget, describe the modifications or substitutions, give their estimated costs, and discuss the effect of the change on the educational and research value of the program. The program director will be expected to show that the change constitutes an improvement in the program. UMTA's program manager (URD-50) is authorized to approve requested changes in the program and budget, except those requiring waiver or revision of any provisions of the grant contract. For such waiver or revision, approval must be by the Associate Administrator (URD-1).

f. Program Budget.

The university is responsible for controlling program commitments to insure that they are all in accord with the budget categories of the final approved program budget. Commitments against each of the budget line items shall not exceed the amount shown for that item in the most recently approved budget.

Funds may be transferred between budget expense categories where the university determines that this transfer will more effectively accomplish the objectives of its program: provided, that no such transfer shall increase or decrease any expense category by more than 10 percent without prior approval of UMTA.

Budget overruns or failure to obtain UMTA approval for major budget revisions will invariably result in costs questioned by audit, since this would be a violation of the grant contract.

If a revised budget is later required, it should follow the same format as the approved program budget. The original and copy of the proposed revision, together with an explanation of each change, should be submitted to UMTA for approval.

g. Third-Party Contracts.

It is not anticipated that the university will have occasion to enter into any contract or obligation with any third-party with respect to the University Research and Training Grant activity. However, should such occasion arise, the university should contact UMTA in advance for instructions on contracting requirements and procedures.

h. Program Audits and Inspections.

The grant contract provides that the university shall provide DOT and the Comptroller General of the U. S., or any of their duly authorized representatives, access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the grant during the grant period and for three years thereafter. Audit cognizance will be assigned by UAD-30 in accordance with OMB Circular A-88. UAD-30 may conduct or arrange for interim audits at any time during the course of the program. A final audit of each grant will be arranged upon notice from the university that all activities have been completed under the applicable grant. Final audits of completed grants may be held even though subsequent grants are ongoing.

i. Requisitions for Grant Payments.

UMTA Form 6, "Requisition for Grant Payment," is used to request the payment of Federal funds for approved programs. (See Figure IX-7 for instructions and form.) The university is expected to submit requisitions for reimbursement of actual expenditures on a quarterly basis. A waiver from this policy may be requested if program needs require reimbursement on a more frequent schedule. Each requisition must be accompanied by a Budget Disbursement and Balance Report, showing, by budget line item, the categories of costs incurred to date compared to those in the approved budget. (See Figure IX-8, and subsection j(1)(c) below for explanation.)

The university should request grant funds from UMTA at least 20 days in advance of the period in which the cash is needed. This is to allow time for processing by UMTA and the Department of the Treasury. Payments are sent directly to the sponsor from the Department of the Treasury.

Ten percent of the terminal grant may be withheld until the program has been completed and audited by or on behalf of UMTA. Under step funding, earlier grants will be paid off in full although continued payment of later grants may be held up pending resolution of audits of earlier grants.

UMTA approval of each requisition for payment is contingent upon the submission of periodic progress and financial reports and compliance with all terms of the grant contract. For processing of requisitions see section 8 of chapter VIII.

j. Program Reports.

(1) Financial Reports.

(a) Monthly Statement of Financial Condition.--A monthly report, described in the UMTA accounting procedures contained in chapter III of the UMTA External Operating Manual, is to be submitted so as to reach UMTA within 10 days following the date of the report. The frequency of this report may be varied only upon UMTA approval.

(b) Monthly Grant Status Report.--This report (Figure IX-9) may be substituted for the Statement of Financial Condition when specifically authorized by UMTA. The report must be submitted monthly, unless another frequency is authorized by UMTA, and must reach UMTA within ten calendar days following the report date.

(c) Quarterly Budget Disbursement and Balance Report.--This tabular report (Figure IX-8) compares anticipated disbursements by budget categories against actual disbursements to date. A narrative explanation is helpful, but is not required. The original and one copy of the report must be submitted to UMTA within 15 days after the end of the calendar quarter, until final settlement of the project account. If requisitions are made quarterly, the budget disbursement and balance report is a required attachment. Payment of requisitions should be withheld pending submission of this report on a timely basis.

Financial reports should all be routed first to UAD-20, then to the Program Manager, URD-50.

(2) Progress Reports.--Two regular progress reports are to be submitted during the academic year; the first on December 1, and the second on July 1. The progress reports should follow the format and content of the outline in Figure IX-10.

The annual report at the end of the spring term should describe substantively the work accomplished during the academic year and discuss problems encountered. It should cover the training component of the program with particular

emphasis on student accomplishments and progress. A bibliography of papers published, accepted for publication in journals, and unpublished should be provided. Other sources of funding for the program should be discussed.

(3) Research Reports.

(a) Significant Research Findings.--At the completion of any research project the director should select from among the research reports those which are clearly worthy of becoming a part of the permanent urban transportation literature. Fifteen copies of each report should be sent to UMTA. If UMTA concurs in the suitability of these reports, it will send copies to the National Technical Information Service in Springfield, Virginia, so that they may be made available for sale to the public. Three copies of a summary information form DOT F 1700.7 (Figure IX-11) should be submitted to UMTA for each report made; these forms will be provided to the National Technical Information Service.

From time to time, URD-50 will compile a directory of these reports for public information.

(b) University-Published Reports.--If the university wishes to publish and distribute research reports detailing technical or other substantive findings not included in the approved program, the cost is not allowable under the grant.

(c) Statement of UMTA Sponsorship.--Every published report must contain, on the title page, a statement regarding UMTA sponsorship, as follows:

> "This report was produced as part of a program of Research and Training in Urban Transportation sponsored by the Urban Mass Transportation Administration of the Department of Transportation.
>
> The results and views expressed are the independent products of university research and are not necessarily concurred in by the Urban Mass Transportation Administration of the Department of Transportation."

(4) Final Reports.--A final report is required to be submitted not more than 90 days after the end of the program. This must be a complete report which may be read without reference to any other document, and should summarize the original program objectives, any modifications to these objectives, the degree to which the objectives were achieved, significant findings, conclusions, recommendations, and a list of papers written under program auspices. A summary of training activities supported by the URT Program should also be included. Five copies of this report should be submitted. Five copies of a final financial report, separable from the final program report, should also be submitted.

k. Disposing of Nonexpendable Property.--Unless otherwise provided, the grant contract will usually vest title in the university for nonexpendable property (property not normally consumed during its useful life) when that property has been acquired with grant funds. At the conclusion of the grant period, such property may either be retained by the university for continued use in its urban transportation research and training program or sold. If retained, a statement to that effect must be submitted to UMTA. If sold, it shall be sold by the university at the highest price obtainable and proceeds credited to the program account. The sale of any property having a residual value exceeding $3,000 must have the approval of UMTA. This policy and procedure is in conformity with OMB Circular A-101.

l. Termination or Suspension of Grant.--UMTA may by written notice, terminate or suspend the grant--in whole or in part--or withhold payment, in the event that it finds the university has: failed to comply with Federal law or with any of the grant conditions; failed to carry out the Research and Training Program as approved; made unauthorized or improper use of grant funds; submitted any proposal, report, or other document which contains a misrepresentation of a material nature or is incorrect or incomplete in any material respect; or if for any reason continuation of the approved Research and Training Program is rendered improbable, infeasible, impossible, illegal, or inadvisable in the opinion of the Government. Termination or suspension shall not affect any otherwise valid and allowable obligations made in good faith prior to receipt of notice of termination or suspension.

m. Closeout of a Grant and Program.--Under step funding, two types of closeouts are possible: grant closeout, and program closeout. When there is a series of grants,

UMTA will wish to close out the books of the earliest awarded grant as soon as possible. When all program costs have been incurred or ascertained for completion of that particular grant, UMTA should be notified promptly through the use of UMTA Form No. 38, "Certification of Project Expenses" (see Figure IX-12), and a final inspection and audit of the program will be scheduled. As the term of the last and final grant draws to a close, the institution should prepare for a program closeout. UMTA may withhold ten percent of the final grant until all audit, reporting and other requirements have been satisfied. The program will be closed upon approval of the final grant payment and notification to the university. See section 13 of chapter VIII for closeout procedures.

n. Retention of Records--Access to Records.--The university is required to retain, intact, for three years following program settlement, all program contract documents, financial records, and supporting documents. See section 11 of chapter VIII for explanation.

S A M P L E

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20590

OFFICE OF
THE ADMINISTRATOR

TO POTENTIAL APPLICANTS FOR UNIVERSITY RESEARCH AND TRAINING IN URBAN TRANSPORTATION FY 1972 GRANT PROGRAM

Enclosed are Guidelines to follow in applying for a research and training grant in urban transportation. The grants are provided for in Section 11 of the Urban Mass Transportation Act of 1964, as amended.

The deadline for submission of applications is December 1, 1971. It is planned that awards will be made on or about February 15, 1972.

To facilitate performance evaluation, each grant will cover a two-year time period encompassing academic years 1972-1973 and 1973-1974. The applicant's proposed level of effort may not exceed $150,000 and this should be divided as evenly as possible between the two years. Successful two-year grantees will not be eligible for additional grant awards during fiscal year 1973.

Institutions wishing to submit a program proposal with several funding alternatives may do so provided that individual program elements are clearly identified and costed so that discreet program elements can be selected if funding limitations prohibit full-program funding.

The applicant should indicate which elements must be funded together if one cannot stand without the other. Also, the applicant may indicate a preference for selection of program elements in descending order of interest for UMTA guidance in those cases where the total proposal cannot be funded.

Applicants should recognize that funds are not available to support all of the proposals submitted. UMTA recognizes the cost and effort involved in assembling applications and in considering whether or not to make application, the institution should be aware that due to decreased funding of the program

Figure IX-1--URT Proposal Invitation Letter
(page 1 of 2)

this year, a very limited number of new schools will be awarded grants for FY 1972. In addition to other criteria which are mentioned in the attachments; applications are evaluated on the basis of:

(a) the soundness of the program and projects;
(b) the likelihood of securing productive results;
(c) the adequacy of resources to conduct the proposed program;
(d) the technical quality and the economic efficiency of the proposed effort;
(e) geographic location; and
(f) other factors.

Applicants are strongly urged to select research topics from those suggested in the attached list.

We are seeking ways to encourage greater involvement of grant institutions in UMTA activities and in turn to allow UMTA to have easier access to the wealth of talent represented by the grant schools. As one means of achieving this, applicants are asked to consider setting aside approximately 5% of new grant funds to be used to cover expenses associated with responding to periodic requests from UMTA. These could include but would not be limited to, visits to Washington to participate in panels, conducting special research, and making special studies. Any portion of the funds budgeted for this purpose but not used could be applied to the remaining research or training grant activities. Such a set aside is voluntary. Should you decide to reserve funds for this purpose, it should be shown as a separate project item in the budget submitted.

Questions regarding applications and/or the Guidelines should be directed to Mr. Philip G. Hughes or Miss Linda R. Sheehy of the University Grant Program, telephone number 202-426-0080.

Sincerely,

C. C. Villarreal
Administrator

Figure IX-1--URT Proposal Invitation Letter
(Page 2 of 2)

(COVER SHEET)

URBAN TRANSPORTATION INSTITUTIONAL GRANT
RESEARCH AND TRAINING PROPOSAL

1. Name of Institution: _____
   Address of Institution: _____
   City: _____ State _____ Zip Code _____

2. Name and Title of Authorized Official of Institution: _____
   _____

3. Grant to: _____

4. Program Director: _____
   Title and Academic Address: _____
   Telephone: _____
   (Area Code/Office Number)

5. Total Support Requested from UMTA: $ _____

6. Proposed Duration of Grant: _____ months

7. Date of Submittal _____

8. *Are Funds for any part of the project proposed herein being requested in another proposal to UMTA, DOT, or any other Federal Agency?

   Yes _____ No _____

_____
Signature of Director Named in 4 Above

_____
Signature of Chief Executive Officer Named in 2 Above Phone: _____ (Area Code/Number)

_____
*See Directions for Completing Cover Sheet (next page).

Figure IX-2--URT Proposal
(page 1 of 3)

DETAILED DIRECTIONS FOR COMPLETING THE COVER SHEET

I. ITEM

2. Name and title of the official authorized--Name the official to commit the institution and endorse the proposal's objective, e.g., president, chancellor, business manager.

3. Grant to--Insert the official name of the institution to which the grant should be made, if different from item 1. If not different, enter "same".

5. Total support requested from UMTA--The amount entered here must agree with the total appearing on the grand totals line of the Budget Summary of proposed expenditures.

8. Are funds for the project being requested in another proposal?--Answer "yes" or "no". If "yes", indicate on the reverse side of the cover sheet the following information concerning the overlapping proposal(s): (a) Granting agency, (b) Program description, (c) Proposal date, (d) Exact nature and extent of overlap.

Figure IX-2--URT Proposal
(page 2 of 3)

Budget Summary
(Sample)

Applicant

Grand Total

Period of Grant

Program Budget

Program Elements	Year		
	1st	2nd	Total
1.	$	$	
2.			
3.			
4.			
-			
etc.			
Total	$	$	
Grant Total			$

Cost Categories

Faculty Salaries	$
Student Stipends	$
Tech-Clerical Salaries & Wages	
Supplies & Materials	
Equipment & Services	
Travel	
Fringe Benefits	
Publication Costs	
Indirect Costs	
Others (list)	
Grand Total	$

Although cost breakdowns of program elements are not required with the applications, it should be available if required during evaluation.

Figure IX-2--URT Proposal
(Page 3 of 3)

TO BE FILLED OUT BY APPLICANT:

Program Title: Urban Transportation Research Institutional Grant Program

Institution: _____

_____

Project Director: _____

_____

_____

TO BE FILLED OUT BY UMTA:

Date Received Proposal Number

NOTE TO APPLICANT:

Please attach one self-addressed postcard marked as shown above to the original of the 5 application copies submitted.

UMTA will date and return this card to notify you that the proposal has been received. We shall also assign a proposal number which will be used in all subsequent correspondence to identify your proposal.

Figure IX-3--Return Card

Review or Cover Sheet
for
New URT Applications FY '72

Name of School:_____

City & State:_____

Date Received:_____ Application #: A- -72

Return Card Sent:_____

Program Director:_____

Office Phone:_____

Total Grant Requested: $_____ 1st Year $_____ 2nd Year $_____

Nature of Proposal:_____

Application Deficiencies: None_____

Narrative_____ Academic Personnel_____

Administration_____ Budget_____

Title VI Compliance_____ Opinion of Counsel_____

Others_____ Action Taken:_____

Preliminary Screening: Passed_____ *Rejected_____

*Reason:_____

Action Taken:_____

Figure IX-4--Review Sheet

--- SAMPLE ---

Evaluator_____ Application # A- -72

UNIVERSITY GRANT EVALUATION SHEET

			YES	NO
GENERAL				
	1. Does the university have both research and training in urban transportation in existence currently?	1.	Y	N
p._____				
	2. Is the proposed program interdisciplinary, involving both technical and social sciences?	2.	Y	N
p._____				
	3. Is a high level interdisciplinary advisory committee planned to provide guidance to the program?	3.	Y	N
p._____				
	4. Does the school give evidence of being able to effectively initiate and carry through the program proposed?	4.	Y	N
_____				
	5. Does the geographic location of the program provide the opportunity to develop a "center of excellence" in light of UMTA's desire to encourage the establishment of regional centers of research and training? (i.e. within 100 miles of a city of 100,000 population)	5.	Y	N
p._____				
	6. Has any cooperation with a two-year school as a joint participant in the grant program been proposed?	6.	Y	N
p._____				
	7. What percent of the funding is requested for student support, either through fellowships, research assistantships, or graduate assistantships?	7.	_____%	
p._____				

Figure IX-5--University Grant Evaluation Sheet
(Page 1 of 4)

			Outstanding						Unacceptable	Not Scored
	GENERAL									
p.____	8. To what extent is minority student participation indicated?	8.	7	6	5	4	3	2	1	X
p.____	9. How do you evaluate the probability that the program appears likely, over time, to be strong enough to eventually become self-sustaining? (i.e. by attracting sufficient students, financial support from groups other than UMTA for research, etc.)	9.	7	6	5	4	3	2	1	X
___	10. How would you evaluate the probability that the program could become the nucleus of training and/or research which can be used by all levels of government and industry to train personnel and/or to provide solutions in urban transportation?	10.	7	6	5	4	3	2	1	X
p.____	11. Is there any evidence of past or anticipated cooperation with local urban transportation organizations, either public or private?	11.	7	6	5	4	3	2	1	X
p.____	12. To what extent does the advisory committee hold promise of being an effective body to coordinate and advise the program director and administrators?	12.	7	6	5	4	3	2	1	X
	Does the program director have the necessary:									
	13. authority	13.	7	6	5	4	3	2	1	X
	14. credentials	14.	7	6	5	4	3	2	1	X
p.____	15. time to administer the program effectively?	15.	7	6	5	4	3	2	1	X
	RESEARCH									
p.____	16. To what extent are the research projects of sufficient concern in the field of urban transportation to warrant investigation?	16.	7	6	5	4	3	2	1	X

			Outstanding						Unacceptable	Not Scored
	RESEARCH (CON'T)									
p.____	17. Do the anticipated results indicate efficient use of the proposed funds?	17.	7	6	5	4	3	2	1	X
p.____	18. To what extent will adequate professional resources be utilized to provide proper supervision of students and others carrying out the research, to insure adequate research quality?	18.	7	6	5	4	3	2	1	X
p.____	19. To what extent will students participating in the program have involvement in the research projects?	19.	7	6	5	4	3	2	1	X
p.____	20. To what degree will program research be carried out in a variety of disciplines, including the social sciences?	20.	7	6	5	4	3	2	1	X
p.____	21. To what extent does the proposed research reflect local metropolitan area transportation problems?	21.	7	6	5	4	3	2	1	X
p.____	22. Is there likelihood that the investigations will provide meaningful additions to the published literature in the field?	22.	7	6	5	4	3	2	1	X
p.____	23. Does the research have national application?	23.	7	6	5	4	3	2	1	X
	TRAINING									
p.____	24. To what extent has provision been made to strengthen or originate urban transportation course offerings?	24.	7	6	5	4	3	2	1	X

Figure IX-5 (Page 3 of 4)

		Outstanding						Unacceptable	Not Scored
TRAINING (CON'T)									
25. Do the anticipated results indicate efficient use of the proposed funds? p.____	25.	7	6	5	4	3	2	1	X
26. To what extent does the proposed curricula provide education in urban transportation to students from multi-disciplinary backgrounds? p.____	26.	7	6	5	4	3	2	1	X
27. To what extent is the school committed to adding and/or upgrading capable specialists in urban transportation as members of the faculty? p.____	27.	7	6	5	4	3	2	1	X
28. To what extent does/will the school provide for recognition of urban transportation specialization as a degree program? If so, also check type below: p.____ Special Degree___Major___ Minor____Certificate_____	28.	7	6	5	4	3	2	1	X
29. To what extent does the school appear to have adequate resources to conduct the proposed training effort? p.____	29.	7	6	5	4	3	2	1	X

Comments On the Proposal:

Figure IX-5 (Page 4 of 4)

CODES AND DESCRIPTIONS

CODE	DESCRIPTION
31 00 00 00	Capital Investments - Grants
31 01 00 00	Small Urban Transit System Acquisitions
31 02 00 00	Small Urban Transit System Improvements
31 03 00 00	Large Urban Transit System Acquisitions
31 04 00 00	Large Urban Transit System Improvements
31 05 00 00	Large Urban New Transit Systems
32 00 00 00	Capital Investments - Loan
32 01 00 00	Capital Facilities
32 02 00 00	Advanced Real Estate Acquisition
33 00 00 00	Technical Studies and System Planning
34 00 00 00	Research, Development and Demonstrations
34 01 00 00	Bus Transit
34 01 01 00	Bus Technology
34 01 02 00	Bus Traffic Systems and Service Innovation
34 02 03 00	Transit Operations and Management Systems
34 02 00 00	Rail Transit
34 02 01 00	Rapid Rail Vehicles and Systems

Figure IX-6--Program Accounting Code

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
WASHINGTON, D.C. 20591

REQUISITION FOR GRANT PAYMENT

(Check one)

☐ DEMONSTRATION GRANT
☐ CAPITAL GRANT ☐ RELOCATION GRANT
☐ TECHNICAL STUDIES

THIS BOX FOR USE OF DOT

D.O. VOUCHER NUMBER

DOT VOUCHER NUMBER

DATE PAID

NAME OF GRANTEE *(Same as in Grant Contract)*

MAILING ADDRESS AND ZIP CODE

REQUISITION PERIOD *(Check and complete as appropriate)*

( ) From _____ , 19___

through _____ , 19___
(Not more than 1 month in advance)

( ) Final Payment

PROJECT NUMBER

CONTRACT NUMBER

REQUISITION NUMBER

CASH DISBURSEMENTS - ACTUAL AND ESTIMATED		
1. Cash actually disbursed	$	
2. Additional cash disbursements actually to be made to the beginning of this requisition period		
3. Cash disbursements to be made during this requisition period		
4. Total of actual and estimated cash disbursements through the end of this requisition period *(sum of Lines 1, 2, and 3)*		$
CASH RECEIVED		
5. Federal grant payments received under previous requisitions	$	
6. Non-Federal cash contributions received or to be received to the beginning of this requisition period		
7. Other cash received or to be received to the beginning of this requisition period *(As: interest on invested funds, net operating revenues, proceeds from sales of property)*		
8. Total cash received or to be received to the beginning of this requisition period *(sum of Lines 5, 6 and 7)*		$
CASH NEEDED		
9. Estimated cash requirements for this requisition period *(Line 4 minus Line 8)*	$	
10. Non-Federal cash contributions to be received during this requisition period		
11. Other cash to be received during this requisition period *(same type as under Line 7)*		
12. FEDERAL GRANT REQUISITIONED HERE *(Line 9 minus Lines 10 and 11)*		$
(a) Reimbursement included in Line 12		
(b) Advance included in Line 12		
STATUS OF GRANT PAYMENTS		
13. Total Federal grant payments requisitioned to date *(sum of Lines 5 and 12)*	$	
14. MAXIMUM FEDERAL GRANT FOR WHICH ELIGIBLE UNDER CONTRACT		
STATUS OF NON-FEDERAL CONTRIBUTIONS		
15. Cash-equivalent contributions made or to be made to beginning of this requisition period *(cash value of paid services, land, equipment, supplies, etc.)*	$	
16. Total non-Federal cash and cash-equivalent contributions to the beginning of this requisition period *(sum of Lines 6 and 15)*		
17. Cash-equivalent contributions to be made during this requisition period *(same type as under Line 15)*		
18. Total non-Federal contributions to be made during this requisition period *(sum of Lines 10 and 17)*		
19. Total non-Federal contributions to the end of this requisition period *(sum of Lines 16 and 18)*		$

UMTA-6 (Rev. 9-70) *(Over)* 71-U-2114

Figure IX-7-- Requisition Form and Instructions
(Page 1 of 4)

GRANTEE CERTIFICATES

I certify that the statements in the opinion and certificate dated _____, and filed with the executed Grant Contract, remain true and correct.

_____ _____

Date *Attorney for Grantee*

I certify that the statements herein and in the supporting documents are correct and complete, and that the project is being carried out in conformity with the Grant Contract and the project budget.

_____

Name of Grantee

_____

Signature of Authorized Officer

_____ _____

Date *Title of Authorized Officer*

ALL SPACES BELOW FOR USE OF DEPARTMENT OF TRANSPORTATION

There is no legal objection to payment of the grant in the amount requisitioned.

_____ _____

Date *Attorney for UMTA*

I approve payment of the grant in the amount requisitioned.

URBAN MASS TRANSPORTATION ADMINISTRATION

_____ By _____

Date

ACCOUNTING CLASSIFICATION	
APPROPRIATION SYMBOL AND TITLE	AMOUNT

GPO 893-236 UMTA 6 (Rev. 9 70)

Figure IX-7--(Page 2 of 4)

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

REQUISITIONING FUNDS FOR MASS TRANSPORTATION GRANT PROJECTS

Form UMTA-6 (7-70), Requisition for Grant Payment, is used in requisitioning Federal funds for approved grant projects under the Urban Mass Transportation Act of 1964, as amended.

The original and four copies should be submitted. Each requisition should be for only one project and one type of grant. Requisitions are to be numbered consecutively; and where a project includes both a capital grant and a relocation grant, requisitions for each should be in a separate series.

Grant funds may be requisitioned only after the grant contract has been fully executed. Requisitions may be for reimbursement of project costs incurred pursuant to the contract, or to be incurred during the next month. No advance of funds will be approved for more than one month, since drawdowns are expected to be kept to the minimum needed for current operations.

When 90 percent of the maximum Federal grant has been paid out, further payments will be withheld, except upon adequate justification, until a final audit of the project account has been made by the Department.

Each transmittal of a requisition should clearly explain the expenditures for which the Federal funds are requested. Ordinarily, Federal grant payments for capital equipment (buses, cars, etc.) should not be requested until after delivery and acceptance, which must be documented by copies of receipted vouchers or similar evidence identifying each item of equipment. With each Requisition for Grant Payment, a Budget Expenditures Schedule shall be enclosed which will provide for each line item of the latest approved budget information in accordance with the following format:

Budget Category (from approved budget)	Detail of Expenditure for this Requisition		Latest Approved Budget	Balance Remaining after this Requisition
	Cash (Line 12)	Cash Equivalent (Line 17)		

Each requisition will be reviewed in the light of the periodic progress reports and financial statements required for each project, and any notable differences between the estimated and actual schedule of expenditures, as related to project progress, should be explained in the transmittal.

Line 12A should reflect the amount of the grant payment requisitioned that represents project costs incurred pursuant to the contract for which reimbursement has not been received.

Line 12B should show that portion of the grant payment requisitioned that represents funds which will be used thirty days subsequent to the reimbursement period.

Line 14 refers to the specified maximum Federal grant to which the grantee is currently limited by the grant contract. For example, where a capital grant has been approved under the Emergency Program of the Act, the current maximum grant is one-half of the estimated net project cost until the grantee is determined to qualify for the full two-thirds grant. When the requisition is for the relocation grant payment, line 14 refers to the maximum relocation grant specified by the grant contract.

Lines 16 and 19 should show that the non-Federal contributions required to match the Federal payments are being made currently in at least the proportion called for by the grant contract. On relocation grant requisitions there are no matching non-Federal funds to report, and the line items pertaining to non-Federal contributions should be disregarded.

(Sample)

Budget Disbursement and Balance Report

Period of Report:_____ School:_____

Program No.:_____

Budget Category	Total Approved Budget	Previous Disbursements	Disbursements This Quarter	Total Disbursements To Date	Balance
Faculty Salaries & Wages					
Secretarial & Clerical Costs					
Employee Benefits					
Travel					
Automatic Data Processing					
Equipment and Services					
Expendable Supplies					
Seminar Support					
Student Stipend					
Publication Costs					
University Overhead					
Other Administrative Costs					
Other Direct Costs					
Other Indirect Costs					
Totals:	_____	_____	_____	_____	_____

Date Submitted:_____ Signature:_____

Figure IX-8--Budget Disbursement & Balance Report

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

GRANT STATUS REPORT
as of _____

(See Instructions before preparation)

1 To: DEPARTMENT OF TRANSPORTATION URBAN MASS TRANSPORTATION ADMINISTRATION Washington, D.C. 20590 Attn: Financial Manager	FINANCIAL STATUS (In dollars)	
	6 Contract Amount	$
2 From:	7 Payments Received	$
	8 Unpaid Billings	$
3 Contract No.	9 Unbilled Performance	$
4 Type of Contract	10 Total Earnings for Work Performed	$
5 Appropriation(s) or Fund Citation(s) 69X3119	11 Advances Outstanding	$

12 Remarks

13 Signature and Title of Authorized Representative	14 Date

Figure IX-9-- Grant Status Report

University Research and Training Grant Program

Regular Progress Report - Format

Two copies of a progress report are to be submitted twice during the academic year; the first is due December 1 and the second on July 1. In preparing the report, the following format should be used:

Title Page

Summary

I Administrative Activities
II Problem Areas
1. Present
2. Potential
III Training
1. Student Support
2. Curriculm Development
3. Training projects/Activities
Title:
Principle Person:
Department/School:
Description:
Status:

IV Research
1. Title: Project "X"
Principle Investigator:
Department/School:
Description:
Progress:
2. Project "XX"
3. Project "XXX"
4. etc.
V Schedule
VI Financial
VII Other

Title Page - Include School name, Grant number, date of report, period covered.

Figure IX-10--Progress Report
(Page 1 of 2)

Summary - Not to exceed two pages.

I Administrative Activities - Creation or changes to groups such as an advisory committee, and their activities, and changes in key program people.

II Problem Areas - Discuss any present or potential problems having impact on performance, cost, etc. of the grant.

III Training - Identify *students by name, field of concentration, type of support and amount; list new courses added or being developed giving title, department, course level and number and a brief (3-4 sentence) description; discuss projects or activities such as special seminars, workshops, etc. After first report submitted, only title and status need be reported unless changes are involved in name of investigator, etc. (*Only report changes after first inclusion).

IV Research - After having fully identified a research task, subsequent reports need only show title and progress unless changes have taken place in investigator, etc.

V Schedule - To the extent possible, report on how the various program elements are holding to schedule.

VI Financial - Include any pertinent comments, on financial performance. It is not required to include the most recent financial report but its date of release of the next financial report should be mentioned.

VII Any other material you feel has significance.

Although a given heading may not be applicable to a given grant or for a particular reporting period, it should still be included with a statement to that effect.

TECHNICAL REPORT STANDARD TITLE PAGE

1. Report No.	2. Government Accession No.	3. Recipient's Catalog No.
4. Title and Subtitle		5. Report Date
		6. Performing Organization Code
7. Author(s)		8. Performing Organization Report No.
9. Performing Organization Name and Address		10. Work Unit No.
		11. Contract or Grant No.
		13. Type of Report and Period Covered
12. Sponsoring Agency Name and Address		
		14. Sponsoring Agency Code
15. Supplementary Notes		
16. Abstract		
17. Key Words	18. Distribution Statement	
19. Security Classif. (of this report)	20. Security Classif. (of this page)	21. No. of Pages / 22. Price

Form DOT F 1700.7 (8-69)

Figure IX-11-- Technical Report Summary
(Page 1 of 2)

HOW TO FILL OUT THE TECHNICAL REPORT STANDARD TITLE PAGE

Make items 1, 4, 5, 9, 12, and 13 agree with the corresponding information on the report cover. Use all capital letters for title (item 4). Leave items 2, 6, and 14 blank. Complete the remaining items as follows:

3. Recipient's Catalog No. Reserved for use by report recipients.

7. Author(s). Include corresponding information from the report cover. In addition, list the affiliation of an author if it differs from that of the performing organization.

8. Performing Organization Report No. Insert if performing organization wishes to assign this number.

10. Work Unit No. Use the number code from the applicable research and technology resume (for example, DoD Form 1498, FAA Form 1750.1, etc.) which uniquely identifies the work unit under which the work was authorized.

11. Insert the number of the contract or grant under which the report was prepared.

15. Supplementary Notes. Enter information not included elsewhere but useful, such as: Prepared in cooperation with...Translation of (or by)...Presented at conference of...To be published in...

16. Abstract. Include a brief (not to exceed 200 words) factual summary of the most significant information contained in the report. If possible, the abstract of a classified report should be unclassified. If the report contains a significant bibliography or literature survey, mention it here.

17. Key Words. Select terms or short phrases that identify the principal subjects covered in the report, and are sufficiently specific and precise to be used as index entries for cataloging. The sponsoring agency may specify that the key words shall conform to standard terminology, such as that given in the Department of Defense Thesaurus of Engineering and Scientific Terms or the Engineers Joint Council Thesaurus of Engineering Terms.

18. Distribution Statement. Enter one of the authorized statements used to denote releasability to the public or a limitation on dissemination for reasons other than security of defense information. Refer questions on the statements to the sponsoring agency.

19. Security Classification (of report). NOTE: Reports carrying a security classification will require additional markings giving security and downgrading information as specified by the sponsoring agency.

20. Security Classification (of this page). NOTE: Because this page may be used in preparing announcements, bibliographies, and data banks, it should be unclassified if possible. If a classification is required, identify the classified items on the page by an appropriate symbol.

21. No. of Pages. Insert the number of pages.

22. Price. Insert the price set by the Clearinghouse for Federal Scientific and Technical Information or the Government Printing Office, if known.

Figure IX-11 -- (Page 2 of 2)

U. S. DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

Certification of Project Expenses

UMTA Form 38 "Certification of Project Expenses" must be prepared at the completion of all UMTA sponsored grant projects. This report must be submitted to the cognizant UMTA program office within 30 days after project completion.

The report must be prepared in the format prescribed in the attached form. Additional copies of the form can be obtained by writing to:

Urban Mass Transportation Administration
Office of Administration
400 Seventh Street, S. W.
Washington, D. C. 20590

The breakdown of items by cost category should be based primarily on the line item descriptions contained in the latest approved project budget. Costs incurred and charged to the project which are for items of expense not described in the project budget should still be listed by cost category and should show a zero amount in the "Amount Budgeted" column. It is imperative that this financial summary represent final project costs and that it be your project cost submission. No additional costs may be charged to the project after submission of this certification.

Your certification of compliance with the terms and conditions of the grant contract affirms that all project costs are documented in accordance with the requirements prescribed in Exhibit E of the January 1971 UMTA document Accounting Procedures, Urban Mass Transportation Program. Moreover, in determining costs applicable to the UMTA grant, your certification represents compliance with the cost standards and principles promulgated by OMB Circular No. A-87.

You may contact the UMTA representative assigned responsibility for monitoring your project, if you have any questions involving the preparation and submission of this required form.

Figure IX-12--Certification of Project Expenses
(Page 1 of 2)

UMTA Form 38

Project No._____

Date_____

Certification of Project Expenses

Cost Category	Amount Budgeted	Amount Expended
Faculty Salaries & Wages		
Secretarial & Clerical Costs		
Employee Benefits		
Travel		
Automatic Data Processing		
Equipment and Services		
Expendable Supplies		
Seminar Support		
Student Stipend		
Publication Costs		
University Overhead		
Other Administrative Costs		
Other Direct Costs		
Other Indirect Costs	_____	_____
Total Project Cost		
Less: Project Income (if applicable)	(_____)	(_____)
Net Project Cost	_____	_____

With full knowledge of the penalties prescribed in 18 U.S.C. 1001, cited below, I (we) hereby certify that the above financial summary is a complete and accura e presentation of final project costs, and that the_____, in administering this project, has fully complied with the terms and conditions of the grant contract. Moreover, I (we) certify that the_____ has made its local contribution to the project as specified in the grant contract and final approved project budget.

_____ (Signature and Title of Chief Financial Officer)

_____ (Signature and Title of Chief Project Official)

NOTE: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fradulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisioned not more than five years, or both. (U.S. Code, Title 18, Paragraph 1001, page 552)

Figure IX-12 (Page 2 of 2)

Chapter X
Managerial Training Grants

		Page
1.	Program Authority, Eligibility, and Funding	X-1
	a. General Authority and Purpose	X-1
	b. Statutory Limitations	X-1
	c. Program Responsibility	X-1
	d. Eligible Grant Applicants	X-2
	e. Eligibility and Selection of Fellowships	X-2
	f. Substitution of Fellows	X-2
	g. Selection of University and Program	X-3
	h. Amount of Fellowship Award	X-3
	i. Method of Payment	X-4
	j. Allowable Costs	X-4
	(1) Salary	X-4
	(2) Employee Benefits	X-4
	(3) Travel	X-4
	(4) Relocation Expenses	X-4
	(5) University Expenses	X-4
	(6) Housing	X-4
2.	Application Review and Approval	X-5
	a. Application Submittal	X-5
	b. Application Review	X-5
	c. Processing for Approval	X-5
	(1) Single Approval Package and Presentation	X-5
	(2) Contents of Approval Package	X-5
	(3) Routing Approval Package	X-6
	(4) Holding for Approval Release Date	X-7
	d. Grant Award Document (Contract)	X-7
3.	Grant Administration	X-8
	a. Responsibility for Direction and Supervision	X-8
	b. Program Account and Funds Control	X-8
	c. Modifications in the Program	X-8
	d. Reimbursement of Costs--Requisitions and Reports	X-8
	e. Audit and Closeout	X-9

CHAPTER X

List of Figures

Figure No.	Title
X-1	MTR Application Form
X-2	Grant Award Document
X-3	Certification of Project Expenses

CHAPTER X

MANAGERIAL TRAINING GRANTS

1. PROGRAM AUTHORITY, ELIGIBILITY, AND FUNDING

a. General Authority and Purpose.

The 1966 amendments added section 10 to the Urban Mass Transportation Act of 1964 authorizing Federal grants to States, local public bodies, and agencies thereof for the training of personnel employed in managerial, technical, and professional positions in the urban mass transportation field. The purpose of this program is to improve the skills of persons employed in urban mass transportation and to provide them with a broader knowledge of the relationship of transportation to the physical, social and economic aspects of urban life.

Although grants are made only to public bodies, private organizations may send employees if sponsored by the public body having jurisdiction in the area. Courses vary in length from two weeks to one full year of training.

b. Statutory Limitations.

The Act establishes the following limitations:

* Funding is limited to $1.5 million annually.

* Not more than 100 Fellowships shall be awarded in any year.

* Fellowships shall be for not more than 1 year of study.

* Not more than 12 1/2 percent of the 100 Fellowships shall be awarded to employees in any one State during any fiscal year.

c. Program Responsibility.

The Office of Research, Development, and Demonstration (URD) has been delegated responsibility for administration of the program. Day-to-day program management is carried out by the University Research and Training and Managerial Training Grants Division (URD-50).

d. Eligible Grant Applicants.

State governments and authorities, city and county governments, and local public agencies, such as transportation authorities and planning commissions, may apply. These public bodies may request fellowship grants for their own employees or those of private urban transit companies operating in their area. Acceptance by the school is required prior to applying for a grant.

e. Eligibility and Selection for Fellowships.

The public agencies will select the persons to be given fellowships, and apply to UMTA for grants on their behalf. The agencies will base their selections on the employees' demonstrated abilities and potential for future contributions in the field of urban mass transportation.

Fellowships may be given to persons employed in managerial, professional, or technical positions in urban mass transportation including, but not limited to, planning, engineering, architecture, research, administration, law, management, or operations.

The fellow must meet the requirements set by the particular university he wishes to attend, whether on a regular or special student basis.

f. Substitution of Fellows.

In the event the original employee selected is unable to attend the course a substitute may be named by submitting a request in writing to UMTA, containing complete details and complying with the following requirements.

* The new individual must be accepted by the school, using the same selection criteria.

* A revised budget must be submitted, which does not exceed that of the original approved budget.

* The request for substitution must be received prior to the start of training.

g. Selection of University and Program.

A fellow may attend any university or other non-profit institution of higher education offering study in his field of specialization, such as engineering, planning, public administration, social science, architecture, law, or any other having application to the urban mass transportation field. The university attended must offer graduate-level work in some or all of these fields.

Permissible courses of study also include short course programs with genuine instructional substance. UMTA has encouraged universities to develop concentrated programs suitable for mass transit employees. These courses are designed, in part, to avoid the necessity of employees being absent from their jobs for long periods of time.

UMTA has continuing contact with universities, and can help suggest a suitable university program if such assistance is desired. UMTA may require the fellow or the public agency to provide information after completion of the study program. These data will assist UMTA in evaluating overall program effectiveness.

The fellow will be responsible for selecting a university and working out with a university adviser an academic program best suited to his professional needs.

h. Amount of Fellowship Award.

The Federal grant covers up to 75 percent of the sum of the tuition, costs incurred by the fellow (such as housing, travel, and books) and the fellow's regular salary during his period of study to the extent that a salary is actually paid or reimbursed by the grant recipient. In no case may the Federal grant for any fellowship exceed $12,000. The local public agency is responsible for the remaining 25 percent of the total eligible costs, and for all costs over $16,000.

Federal grant funds can be used to reimburse housing costs up to the cost of a single room in a university dormitory, and only then when these are personal costs which the fellow cannot reasonably avoid by renting, subletting, or permanently abandoning his current residence. Federal money can be used to pay reasonable travel and moving expenses for one round trip to and from the university for the fellow, and also his immediate family if they are relocating with him for the duration of the program.

Fellowship awards may be given for a maximum period of one year; however, shorter periods of study--for example, two-week programs, a semester, quarter, or summer session--are equally acceptable.

i. Method of Payment.

The public agency will pay all university charges and reimburse the fellow for any other allowable expenses incurred. After all costs have been incurred and reimbursed, it will then request reimbursement from UMTA for the Federal Government's agreed share of the costs.

j. Allowable Costs.

(1) Salary.--The public agency is eligible for compensation for salary actually paid to the employee attending an eligible educational program when he would otherwise be on the job. The method of calculating salary to be reimbursed should be explained, particularly if other than straight salary is involved.

(2) Employee Benefits.--Employee benefits paid by the applicant are reimbursable if fixed by law, civil service regulations, or contract. Other regular benefits may be covered if they continue while the person is attending a training course.

(3) Travel.--One round trip is permitted between the educational institution and the fellow's home for the fellow, and also for his immediate family if relocating with the fellow for the duration of the program. Commuting costs are not reimbursable. Allowable cost is: coach class rail or air fare, or 11 cents per mile if by car, except that cost by car cannot exceed the amount of air fare.

(4) Relocation Expenses.--Reasonable moving expenses, including storage, are permitted if the fellow attends an institution for more than six months and must move his household more than 50 miles.

(5) University Expenses.--All identified university charges pertaining to the fellow's enrollment in the course of study are allowable. The OMB Circular A-21 guidelines would be applicable.

(6) Housing.--Federal grant funds can only be used to reimburse housing costs up to the cost of a single room in a university dormitory or other special facility, for personal costs that the fellow cannot reasonably avoid by renting, subletting, or permanently abandoning his current residence.

2. APPLICATION REVIEW AND APPROVAL

a. Application Submittal.

Application is made in a single stage. A standard form is submitted in an original and one copy, signed by the head of the applicant agency. Attachments to this form consist of the standard DOT Title VI Assurance of Compliance, a legal opinion, and a letter of acceptance from the school.

Applications should be submitted six to eight weeks prior to the beginning of the training program, and in no instances less then 30 days in advance. Refer to Figure X-1 which provides examples of the application form and its attachments. Also the standard DOT Title VI Assurance must be included. For a detailed review of DOT Civil Rights Assurances, refer to appendix 6 and also to DOT Order 1050.2, "Standard DOT Title VI Assurances."

b. Application Review.

Applications are reviewed to make certain that both the fellow and the applicant meet all requirements for eligibility, and that the training program and budget are suitable. URD-50 also verifies that the statutory quota of fellowships for the applicant's State will not be exceeded if the grant is approved. If the application is found to be in good order, it is then processed for approval.

c. Processing for Approval.

(1) Single Approval Package and Presentation.--To simplify and accelerate the process of obtaining the Administrator's formal approval, the program manager will make every attempt to prepare a single approval package for each group of related-interest training grants (such as for a special university seminar). Wherever feasible, a single presentation will be prepared for the Administrator's preapproval briefing.

(2) Contents of Approval Package.--The following documentation will be submitted in the approval package:

* Approval Memorandum--This is the Associate Administrator's transmittal, which becomes the formal approval document when the Administrator signs the "approved" block at the end of the memorandum. It provides background information on the training program, the volume of demand for funds, and other matters of interest and importance in the review and evaluation of the applications.

* Information on Applicants and Fellowships--A summary attachment will list all applicants for grants, and provide basic information and data on their fellowship award programs. There will also be a budget (with cash disbursement schedule) and a grant award document prepared for each recommended applicant, ready for signature.

* Legal Report--The legal eligibility of each prospective grantee, and other legal conditions for approval of the grant, must be documented in a legal report. This may be either a single document encompassing reports on each grant, or separate reports for each, as UCC-1 deems most appropriate. While it is not essential that the program manager have each legal report in hand when preparing the approval package, he must be assured that each proposed grant has legal clearance for approval, and the approval memorandum will so state.

* Press Release Draft (with "Attachment One" notification form for proposed award of contract or grant)--The program manager should discuss with UPA-1 the nature and form of public announcement to be made, if any, and prepare a draft press release accordingly--either covering all of the grants as a group, or providing information on each separately.

(3) Routing Approval Package.--When the approval package has been assembled, it will usually be routed for clearance as follows (and usually in this sequence):

* UCC-1 for review and surname, and preparation of grant award

* URD-1 for signature on the memorandum and project budget, and surname on the grant award document and, as appropriate, the press release draft

* UAD-10/20/1 for fund reservation and certification, and financial management review and surname

(Before routing to UAD for fund reservation, the project officer must designate the program code number, which indicates the account to be charged in accordance with accounting requirements as illustrated in Figure IX-6.) This number should be entered at the bottom of the yellow file copy of the memorandum and each notification letter. The same number will thereafter be put on all requisitions or payment vouchers.

* UPA-1 for review and surname

* UOA-10/2/1 for review and Administrator's approval signature on the memorandum (and date).

The routing indicated above is the standard routing for approval packages, but the routing should also include UPO, UPP, or UCR when the subject matter involves any activity for which those offices have responsibility, or that may affect their activities in some foreseeable way.

(4) Holding for Approval Release Date.--When the Administrator has signed the approval memorandum, the entire package is returned to URD-50, where the program manager's secretary conforms all distribution copies but does not dispatch. The Grant Award Document is signed by URD-1 or his designee; and the package is then hand carried to UAD-10.

If a formal public announcement is to be made (as determined between URD-50 and UPA) the press release draft and the four distribution copies of the memorandum marked for UPA are routed to UPA for action on preparation of the final press release and congressional notification (see section 8g of chapter VII for the procedure). The remainder of the package is held by UAD-10 until notified by UPA of the scheduled announcement date. Meanwhile, UAD-10 also updates its project information report records. On the scheduled release date the grant award documents are sent out, and all copies are distributed. One copy of each goes to UAD-41, for input to update the MIS data system.

d. Grant Award Document (Contract).

A simple one-page Grant Award document (Figure X-2) is used in this program, prepared as an offer and acceptance form. The Office of Chief Counsel, Program Division (UCC-30), prepares the Grant Award document at the time the approval

package is routed for concurrence. When the Administrator approves the grant, the Grant Award document is signed by URD-1 or his designee. Three copies of the half-executed document are then sent to the grantee; and when accepted and signed it becomes the formal contract document.

The grantee should sign and date all three copies, and return two fully executed copies to UMTA. Since the offer is held open only 30 days, the grantee should complete execution and return of the document within that time.

When the fully executed contract document is returned, the two copies will be routed to UAD-10 for distribution to the Project File and UAD-20, and for updating of control and program information records.

3. GRANT ADMINISTRATION

a. Responsibility for Direction and Supervision.

The grantee is wholly responsible for supervising the fellows and for assuring that all conditions of the grant are being carried out.

b. Program Account and Funds Control.

Although UMTA makes no grant payment until all costs have been incurred and are documented, records and accounts must be established as for other programs. (See External Operating Manual, chapter III, section D, for details.)

c. Modifications in the Program.

UMTA's Program Manager, URD-50, is authorized to approve requests for modifications in the program or budget, except those requiring waiver or revision of any provisions of the grant contract. For such waiver or revision, approval must be by the Associate Administrator, URD-1.

d. Reimbursement of Costs--Requisitions and Reports.

After all costs have been incurred and reimbursed, the grantee will then requisition UMTA for the agreed Federal share of fellowship costs. For this purpose, requisition form UMTA-6 (Figure VIII-2) will be furnished to the grantee at the time of notification of UMTA's approval of the grant. The requisition is submitted to UMTA for payment with a Form 38, "Certification of Project Expenses" (Figure X-3). The grantee also must include a budget disbursement and balance report (Figure IX-9).

e. Audit and Closeout.

In view of the size and nature of managerial training grants (most of which range between $5,000 and $8,000), it is considered unnecessary to conduct an extensive audit for closeout of the project. Instead, a simple, desk-audit review of the file will be made at the time the requisition for reimbursement of costs is submitted.

The requisition will be reviewed by URD-50, and then routed with the file to UAD-30 for audit review. Unless there is any indication of the need for further audit investigation, UAD-30 will surname and return the materials to URD-50 for approval of the requisition. After this approval, the requisition will be routed to UAD-10 via UAD-20 processing.

In the event that a more detailed followup, or audit, is indicated, the materials will be returned to URD-50 for appropriate action.

APPLICATION FOR A MANAGERIAL TRAINING GRANT
URBAN MASS TRANSPORTATION ADMINISTRATION - DEPARTMENT OF TRANSPORTATION
Washington, D. C. 20590

PART 1

1. APPLICANT (PUBLIC BODY) *Name and Address of Public Body*

2. FELLOW:
Name: *Office Phone:*

Title: *How long employed:*

Employer and Address:

Job Description:

Supervisor's Name: *Title:*

3. FELLOW'S ACADEMIC BACKGROUND (POST HIGH SCHOOL):

School	*Major*	*Minor*	*Degree*	*Year*

4. PROPOSED MANAGERIAL TRAINING:

Name and address of College or University

Area of Study:

Degree Program, if any:

Dates of study: *Has fellow been accepted: (attach copy of acceptance)*

5. ASSURANCES:

Opinion of Counsel is attached: yes_____

Civil rights assurance is attached: yes_____

6. SIGNATURE OF AUTHORIZED REPRESENTATIVE OF APPLICANT:

Name *Phone*

Title

DATE *SIGNATURE*

Figure X-1--MTR Application Form
(Page 1 of 4)

MANAGERIAL TRAINING GRANT APPLICATION

PART II
DETAILED COURSE OF STUDY

1st TERM: *(indicate course, title, department and number of hours)* *Dates:*_____ *Total hours:*_____
2nd TERM: *Dates:*_____ *Total hours:*_____
3rd TERM: *Dates:*_____ *Total hours:*_____
4th TERM OR, IF A SPECIAL PROGRAM (Not Divided Into Terms and Courses), DESCRIBE CONTENT AND SCHEDULE BRIEFLY BELOW: *(attach descriptive brochure if possible)* *Dates:*_____ *Total hours:*_____

Figure X-1 (Page 2 of 4)

MANAGERIAL TRAINING GRANT APPLICATION

PART III
BUDGET
(Instructions on Reverse)

1. SALARY (For time actually taking course - show computation)	1. Total $_____
2. EMPLOYEE BENEFITS (__% of line 1) State basis	2. Total $_____
3. TRAVEL	3. Total $_____
4. RELOCATION EXPENSES	4. Total $_____
5. UNIVERSITY EXPENSES	
5a. tuition	5a. $_____
5b. books	5b. _____
5c. fees	5c. _____
5d. other university expenses explain	5d. _____
	5. Total $_____
6. HOUSING	6. Total $_____
7. TOTAL OF LINES 1-6	7. Total $_____
8. FEDERAL GRANT REQUESTED (lesser of 75% of line 7 or $12,000) Round off down only to next lowest whole dollar -- do not round up.	8. Total $_____
9. SIGNATURE AND TITLE OF AUTHORIZED REPRESENTATIVE OF APPLICANT	
_____ *Name*	_____ *Title*
_____ *SIGNATURE*	_____ *Date*

Figure X-1 (Page 3 of 4)

Legal Opinion

The legal opinion must include:

1. Citations to the statutory or charter provisions applicable generally to the public body, including reference to the class or type of the public body.

2. The authority of the public body to provide training for its employees or if the training is for employees of a private company, the legal basis for such should be explained.

3. The authority of the public body to provide its share of project funds within any constitutional or statutory debt, tax, or other limitations.

4. The authority of the public body to contract for and receive a Federal grant.

5. Advice concerning any pending or threatened litigation which might in any way adversely affect the proposed Grant.

If any applicable statute or charter provision is not currently codified, a certified copy thereof should be submitted with the application.

The legal opinion must be signed by the Sponsor's Legal Counsel.

URBAN MASS TRANSPORTATION MANAGERIAL TRAINING

GRANT AWARD

GRANTEE

CONTRACT NO._____

PROJECT NO._____

AMOUNT OF GRANT AWARD

The Grantee agrees that this award, extended under authority of Section 10(a) of the Urban Mass Transportation Act of 1964, as amended, will be expended in accordance with the Grantee's application as approved and accepted by the Government, and in accordance with the project budget and the contractual terms and conditions on the reverse side hereof, for the following purpose:

EXECUTION. This grant award constitutes an offer by the Government. When accepted and executed in five (5) counterparts by the Grantee it shall constitute a legal and binding obligation of the parties. If the Grantee does not accept and place three (3) counterparts of this instrument in the mails within sixty (60) days of the date of execution by the Government, the offer shall be deemed lapsed and rescinded and this instrument of award shall have no force or effect. The Government has duly executed this offer this _____ day of _____ 1972.

BY_____

TITLE Director, University Grant Programs Division

The Grantee does hereby ratify all representations and covenants contained in its application and supporting documents, and does hereby accept the Government's offer and agrees to all of the terms and conditions thereof.

Executed this _____ day of _____ 19__.

BY_____

TITLE_____

Figure X-2--Grant Award Document

Certification of Project Expenses

Report of Actual Expenditures by the Grantee In Accordance With Approved Budget

Name of Grantee:_____Project No._____

Name of Fellowship Recipient:_____

Course Attended:_____

Budget Category	Total Approved Budget	Total Disbursements	Final Balance
Salary			
Employee Benefits			
Travel			
Relocation Expense			
University Expenses			
Tuition			
Books			
Fees			
Other			
Housing			
Totals	_____	_____	_____

With full knowledge of the penalties prescribed in 18 U.S.C. 1001, cited below, I (we) hereby certify that the above financial summary is a complete and accurate presentation of final project costs, and that the (grantee), in administering this project, has fully complied with the terms and conditions of the grant contract. Moreover, I (we) certify that the (grantee) has made its local contribution to the project as specified in the grant contract and final approved project budget.

(Signature and Title of Chief Project Official)

(Signature and Title of Chief Financial Officer)

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000, or imprisoned not more than five years, or both. (U.S. Code, Title 18, Paragraph 1001, page 552.)

Figure X-3--Certification of Project Expenses

Chapter XI
Procurement of Materials and Services

		Page
1.	General	XI-1
2.	Means of Procurement	XI-1
	a. General Office Supplies	XI-1
	b. Office Furniture or Equipment	XI-1
	c. Subscriptions and Miscellaneous Supplies	XI-2
	d. Recurring Services Requirements	XI-3
	e. Use of Imprest Fund	XI-3
3.	Services Available Within the Department of Transportation	XI-4
	a. General	XI-4
	b. Printing	XI-4
	c. Photographic Services	XI-5
	d. Visuals Services	XI-5
	e. Miscellaneous Services	XI-6

CHAPTER XI

List of Figures

Figure No.	Title
XI-1	Procurement Request, DOT F 4200.1
XI-1A	Procurement Request, FAA 4415.1
XI-2	Printing, Binding, Distribution and Editorial Services Request
XI-3	Request for Photographic Service
XI-4	Visual Services Request

CHAPTER XI

PROCUREMENT OF MATERIALS AND SERVICES

1. GENERAL

The procurement of goods and services for the UMTA offices is the responsibility of the Logistics and Procurement Staff Coordinator (UAD-45) of the Office of Administration. Goods and services include such items as office furniture and equipment, supplies, subscriptions, service contracts, printing, and photographic and visuals services. In general, the office requiring specific goods or services is responsible for the preparation of a requisition form relating to the specific item which is being requested. Each office head is also responsible for ensuring that established budget limitations are not exceeded as a result of any procurement.

2. MEANS OF PROCUREMENT

a. General Office Supplies.

Most general office supplies can be obtained from one of four General Services Administration (GSA) Self-Servcie Stores in the immediate southwest area. These are located in the Housing and Urban Development (HUD) Building (room B278), the GSA Building (room 1620), the Federal Avaition Administration (FAA) Building (B level), and the P-1 level of the Nassif Building.

Supplies are purchased from the GSA stores through the use of a self-service shopping plate, one of which is available in each UMTA office. Each office head shall designate a "charge control coordinator" who will be responsible for the control and assignment of the plate. Employees authorized to purchase supplies with the shopping plate shall, upon completion of each purchase, return a signed cash receipt along with the plate to the charge control coordinator. The receipt shall be retained by the coordinator for periodic review to enable the Office of Administration to certify as to the correctness of charges on the periodic GSA billings for this service.

b. Office Furniture or Equipment.

Most standard items of office furniture or equipment are regularly ordered and supplied by UAD-45. Desks, chairs, credenzas, file cabinets, typewriters, and similar

common items are usually available from the UAD-45 inventory and may be obtained by submitting a memorandum request (signed by the office head) to UAD-45.

Less common items of furniture and equipment, or special types of these commodities, should be requisitioned by the requiring office when it is determined, through consultation with UAD-45, that no suitable items are on hand or on order. In this case, the requiring office shall prepare a Procurement Request (PR), DOT Form F 4200.1. An example of this form is shown in Figure XI-1. Instructions for completing the form are provided on its reverse side. Procurement Request Form FAA 4415.1 (Figure XI-1A) may also be used until the supply is exhausted. The PR shall be reviewed by the office head to verify the need for the item and its conformance to office budgetary limitations. The PR shall then be signed by the office head and forwarded to UAD-45 for review and control, and final approval by the Associate Administrator for Administration (UAD-1).

Normally, the approved PR will then be forwarded to the Office of the Secretary of Transportation (OST) Procurement Operations Division, (TAD-43) for issuance of a Purchase Order (PO), FAA Form 45, which is the final purchasing/contracting document. (Direct purchases, however, are sometimes made by UAD-45. See paragraph e of this section for further details.) Copies of the PO will be distributed to UAD-45, as well as to the **Financial Management Division (UAD-20).** UAD-45 shall establish a vendor file for the PO and shall also forward a copy to the requesting UMTA office. When the goods or materials are delivered, the requesting office (consignee) shall immediately notify UAD-45, who will complete the Receiving Report information block (#26) of the Purchase Order, and forward one copy to UAD-20 to initiate payment and one copy to TAD-43 to close their procurement records.

TAD-43 processes procurement actions in accord with DOT Order 4400.4, "OST Procurement Procedures," DOT Notice 4200.7 "Review of Proposed Contract Awards", and DOT Order 4230.1, "Processing of Procurements under $2,500--Small Purchases."

c. Subscriptions and Miscellaneous Supplies.

Subscriptions and miscellaneous office supplies not available through UAD-45 or GSA sources of supply shall be individually requisitioned by the requiring office. As in paragraph b of this section, the requesting office shall prepare a Procurement Request, obtain the necessary approvals, and forward it to UAD-45. Also, as in paragraph b, this

will ultimately be sent to Procurement Operations (TAD-43) for the issuance of a Purchase Order; and, distribution and receiving report information will be handled in the same manner.

d. Recurring Services Requirements.

UAD-45 shall constantly review and identify the need for the procurement of certain types of services that are recurring in nature or are used by most or all UMTA offices. Equipment-maintenance contracts, Government Printing Office and National Technical Information Service deposit accounts, laborer contracts, and Dun and Bradstreet subscriptions are examples of this type of UMTA requirements. UAD-45 will be responsible for the requisitioning and procurement of these items on a regular basis and will make these services available to the offices as the need arises. New requirements of this nature must be processed using the procedures prescribed in paragraph b.

e. Use of Imprest Fund.

The Office of Administration is authorized to utilize the OST Working Capital Fund imprest fund to purchase certain materials or services costing less than $100 (in the aggregare) from commercial sources of supply in the local area. Where applicable, UAD-45 will use the imprest fund technique after review of the PR from the requisitioning office. Such purchases must be made in conformance with DOT Order 2770.2, "DOT Centralized Travel and Imprest Fund Services Manual."

After receiving the approval of the Associate Administrator for Administration, UAD-45 shall advise the requesting office. The requesting office shall then take the original approved copy of the Procurement Request to the Imprest Fund Cashier (TAD-444.2) and, upon presentation of official identification, obtain a cash advance for the purchase. The requesting office is then responsible for arranging for pickup or delivery of the necessary items and for returning a signed or "paid" copy of the vendor's invoice or sales slip to the Imprest Fund Cashier. Imprest fund regulations require that cash advances for local purchases shall not be outstanding for over five days.

3. SERVICES AVAILABLE WITHIN THE DEPARTMENT OF TRANSPORTATION

a. General.

UMTA is able to obtain various services within the Department of Transportation from the Office of the Secretary and the Federal Aviation Administration through various reimbursable arrangements which are entered into by the respective parties. Included in this category are printing, photographic, and graphics services, as well as some general "housekeeping" services. Each office head shall assure that all material to be copied conforms to titling and identification requirements of DOT Order 1360.1, "Identification of Printed Material and Visual Aids."

b. Printing.

The Office of the Secretary, through the Working Capital Fund (WCF), operates and maintains an authorized Federal Printing Plant in Building 159 at the Washington Navy Yard. This facility, scheduled to be relocated to the Nassif Building late in 1972, is staffed and equipped to produce or contract for all the printing requirements of the Department. In addition to the Navy Yard facility, the Printing Branch (TAD-482) operates a small facility on the second floor of the Nassif Building, in addition to the various "hot copy" rooms located throughout the Department.

To obtain printing services for such items as pamphlets, handbooks, regulations, etc., the requesting office shall prepare a Printing, Binding, Distribution, and Editorial Services Form (DOT F 1700.3). An example of this form is shown in Figure XI-2. It is completed in accordance with the instructions on the cover sheet of the form. The requesting office head or his designee shall sign the completed form in the appropriate box and forward it to UAD-45 for review and approval. After ensuring that the requested work conforms with DOT Order 1360.3, "Publishing and Printing--Policy and Primary Responsibilities," UAD-45 shall forward the form to the printing plant (TAD-482). Most printing jobs can be completed within a 10-day schedule, and it is imperative that offices requesting printing services plan their requirements in such a manner as to minimize the need for overtime printing work. Small, urgently needed printing requirements, however, can usually be produced by the Nassif branch facility in one to three days. It is the responsibility of the requesting office to pick up all jobs printed by the second-floor facility.

Payment for printing services is made through the OST Working Capital Fund (WCF). One copy of all printing requisitions is returned to UAD-45 for its records and for comparison against WCF billings. In addition, one copy of each completed printing requisition is returned to the requesting office along with the completed work. These copies are merely informational, but may be maintained by the requesting office to assist them in preparing future printing requisitions.

c. Photographic Services.

The Office of the Secretary, through the Working Capital Fund (WCF), operates and maintains a Photographic Branch (TAD-485) located in Building 159 at the Navy Yard. This facility is staffed and equipped to produce or contract for all requests for photographic services required by the Department and the operating administrations. Such photographic work is done in accordance with DOT Order 1700.14, "Photographic Services in the Washington Headquarters."

Offices requiring photographic services shall complete a Request for Photographic Service Form (DOT F 1700.5). An example of this form is provided in Figure XI-3. It is filled out in accordance with the instructions on the back of the form. The office head of his designee shall sign this form in the appropriate box and transmit it to UAD-45 for review and approval. UAD-45 shall then forward the approved request form to the Photographic Branch (TAD-485.) Five working days is the normal turn-around time for photographic service, and requesting offices shall plan their requirements in such a manner as to minimize the need for overtime on their photographic work.

Copies of all completed photographic service requests are provided UAD-45 for comparison against the billings from the Working Capital Fund (WCF).

d. Visuals Services.

The Federal Aviation Administration Visuals Branch (HQ-460) provides visuals and graphics services to UMTA pursuant to an annual reimbursable agreement. HQ-460 is staffed and equipped to produce or contract for UMTA requirements such as large flip charts, graphs, overlay sheets for Vu-graph equipment, and other material as needed for presentations or conferences.

Offices requiring visuals or graphics services shall complete a Visual Services Request Form (FAA Form 1730-1).

An example of this form is shown in Figure XI-4. This form is submitted in an original and one copy. The signature of the office head or his designee (initials on the left margin of the form are allowed) must be shown. The request is then forwarded to UAD-45 for review and approval. The requesting office is responsible for transmitting the form and any related materials to the Visuals Services Branch (HQ-460, room 514, FOB 10A), as well as for picking up the finished job when notified that the work is ready. Generally, visuals or graphics work can be done in-house within ten working days. Office heads shall take appropriate measures to plan their requirements to minimize the need for obtaining work from the higher priced, commercial sources contracted for by FAA.

A copy of all visuals service request forms will be maintained by UAD-45 for comparison against quarterly billings provided UMTA by FAA through the annual reimbursable agreement.

e. Miscellaneous Services.

UAD-45, as well as the Support Services Division (TAD-44) of the Office of the Secretary, provides UMTA with various housekeeping services, emergency maintenance assistance, and equipment loan pool services. The DOT Telephone Directory should be used to locate the source of these various services. UAD-45 should be consulted whenever an UMTA office desires services not covered in this handbook or not specifically referenced in the Telephone Directory.

Charges for such services, if provided by OST, are billed to UMTA in accordance with the pertinent reimbursable agreement. Distribution of such charges shall be reviewed periodically by UAD-45.

READ INSTRUCTIONS ON REVERSE — NO CARBON REQUIRED — PAGE 1 OF PAGES

DEPARTMENT OF TRANSPORTATION

PROCUREMENT REQUEST PROCESS RAPIDLY

PROCUREMENT REQUEST NO.

DATE RECEIVED

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
Fred Frisbee x61111 UAD-33

2. TYPE OF REQUEST (Check one)
A. [X] NEW REQUEST
B. [ ] CHANGE TO PENDING PR NO. _____
C. [ ] MODIFICATION TO CONTRACT OR ORDER NO. _____

3. ORIGINATING OFFICE DATA
(To be completed by UAD-45)

4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)
Vactor Calculator Co
402 No. 3rd St.
Wabasha, Minnesota 64902

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER	UAD-1			
(2) ACCOUNTING CERTIFICATION OFFICER	UAD-20			
(3) Office Head				
(4)				

6. CONSIGNEE AND DESTINATION
Urban Mass Transportation Administration.
400 - 7th St., S.W.
Washington, D.C. 20590
ATTN: Fred Frisbee (Rm 9200)

7. DATE(S) REQUIRED
Feb. 1, 1972

8. GOVERNMENT FURNISHED PROPERTY
[ ] YES [X] NO (If "YES," see par. 8 of Instructions on reverse.)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
	Calculator, Model # 572	2	ea.	413.00	826.00
	Less 10% Discount				- 82.60
					$743.40
	Justification: The above machines are requested for new employees in the Office of Administration, requiring constant division. This machine is the least expensive model listed on GSA Schedule which will permit this type of work to be done.				
	(Brochure Attached)			TOTAL ESTIMATED COST	$743.40

10. ACCOUNTING DATA
E2-60-0000.....

FORM DOT F 4200.1 (3-71) (Supercedes FAA Form 4415-1)

Figure XI-1.--Procurement Request, DOT F 4200.1

Read Instructions on Reverse — NO CARBON REQUIRED — Page 1 of Pages

PROCUREMENT REQUEST

1. (Check one): [X] NEW PROCUREMENT [ ] CONTRACT MODIFICATION
2. ORIG. REQN. NO.
3. DATE: 1/10/72
4. CROSS REF.: PRN/CON #
21. PROCUREMENT REQ. NO.: PRN
22. DATE RECEIVED:
5. NAME (Last name — first name — middle initial): FREBEE, Fred A.
5a. PHONE EXT.: 61111
5b. ROUTING SYMB.: UAD-33
7. SECURITY CLASSIFICATION: —
23. SET ASIDE ACTION: a. SMALL BUS. b. LABOR SURPLUS
5c. BRANCH/DIVISION: Administration
6. PROJECT/TASK NO.:
8. PROJECT MANAGER: -Same-
9. APPROP./LIMIT'N/FISCAL PROG./DISTRIB./OBJECT: E2-60-0000 . . . . . .

10. APPROVALS	a. APPROVING OFFICIALS	ROUTING SYMBOL	DATE	b. INTERNAL ROUTING INITIALS	b. INTERNAL ROUTING RTG. SYM.
	(1) AUTHORIZED REQUISITIONER	UAD-1	1/11/72		
	(2) [redacted] Office Head				
	(3) CLEARANCE OFF.—CONTR. COMMODITY/SVC.				
	(4) ACCOUNTING CERTIFICATION OFFICER	UAD-20			

11. DATE(S) REQUIRED (see instructions): March 1, 1972

12. SHIP TO — CONSIGNEE AND DESTINATION:
Urban Mass Transportation Administration.
Office of Administration (UAD33)
400- 7TH ST., S.W.
Washington, D.C.
20590

13. ITEM NO.	14. DESCRIPTION OF ARTICLES AND/OR SERVICES (Including specifications and other pertinent data)	15. QUANTITY	16. UNIT	17. ESTIMATED COST a. UNIT	17. ESTIMATED COST b. TOTAL
	Subscription: Busses Galore See attached literature on subscription information.	2	yrs.	12.00	12.00

18. GOVERNMENT FURNISHED PROPERTY [ ] NO [ ] YES (If "YES" attach list) ESTIMATED VALUE $ — AGGREGATE COST $12.00

19. SUGGESTED SOURCES OF SUPPLY (If known)

NAME	ADDRESS
United Press Company	2035 Lombardy Rd. New York, N.Y. 10101

20. REMARKS (See instructions): Justification: Item is needed as reference material. Not found in D.O.T. Library.

FAA Form 4415-1 (12-68) Supersedes FAA Form 215 ☆ U.S. GOVERNMENT PRINTING OFFICE: 1971—414-057

(This form may be used until stock is exhausted-then use DOT-F4200.1

Figure XI-1A.--Procurement Request, FAA 4415.1

Shaded areas for OST Printing Branch use

1. PERSON TO CONTACT ABOUT THIS WORK	ROUTING SYMBOL	TELEPHONE NO.	2. AGCY. LTRS.	3. REQUISITION No.
Fred Farber	UAD-33	61111	UMTA	

4. TITLE OR DESCRIPTION OF WORK
Report: UMTA and the World

FORM NO. OR G P O PROGRAM NO.

RIDER ☐ REQUEST

DSO REQ. No.

GPO REQ. No.

5. PAGES (Not Sheets) OF MATERIAL SUBMITTED				6. QUANTITY	FINISHED PRODUCT UNIT	SCHED. COMPLETION DATE
MANUSCRIPT	NEGS./POS.	CAMERA COPY	TOTAL	(UNITS OF FINISHED PROD)	☒ BOOKS OR PAMPHLETS ☐ BLANK BOOKS ☐ BLANK FORMS (SHEETS) ☐ FOLDERS ☐ SETS ☐ PADS OR TABLETS ☐ OTHER (SPECIFY)	
		64	64	200		

7. APPROPRIATION	8. EST. COST (AGCY.)	EST. COST	ACTUAL COST	9. DATE WANTED AT DESTIN.
E2-60-000				(Allow 10 Days)

PRINTING, BINDING, AND DELIVERY INSTRUCTIONS

	10. PAPER			11. INK	
KIND	SUB.	FINISHED SIZE	COLOR	COLOR	COLOR NO.
TEXT C.W. Writing	40	8 x 10½	white	black	
COVER					
OTHER (SPECIFY)					

12. PROOFS WANTED NO ☒ YES ☐ (INDICATE KIND AND HOW MANY OF EACH) GALLEY [ ] PAGE [ ] REPRO [ ]

13. PRINT ☐ ONE SIDE ONLY ☒ HEAD TO HEAD ☐ HEAD TO FOOT ☐ HEAD TO SIDE (SEE SAMPLE)

14. FOLD TO ☐ PERF. ☐ TRIM 4 SIDES ☐ PASTE

15. GATHER (Assemble) ☒ AS PAGED ☐ OTHER (SPECIFY)

STITCH (NO. OF STAPLES) 2

POSITION ☒ SIDE ☐ SADDLE ☐ TOP ☐ UPPER LEFT

16. PUNCH OR DRILL	HOLE SHAPE	NO. HOLES	DIAM.	INCHES CTR. TO CTR.	POSITION	OTHER (SPECIFY)

17. ADDITIONAL OR SPECIAL PRINTING AND BINDING INSTRUCTIONS (USE ADDITIONAL SHEETS IF NECESSARY)

CHECK DISPOSITION OF

NEGS.		DESTROY
	X	RETURN
		HOLD IN G P O
TYPE		HOLD
		DROP

18. DISPOSITION OF WORK

PICK UP ☐ BY MAIL MESSENGER ☐ CALL EXTEN.

DELIVER TO ☐ DISTRIB. SVCES.

DELIVER ACCORDING TO ☐ FOLLOWING DATA ☐ ATTACHED LIST

QUANTITY (UNITS): 200 books

TO: Urban Mass Transportation Administration
400 - 7th St., S.W., Washington, DC
Attn: F. Farber (UAD-33)

DISTRIBUTION INSTRUCTIONS

19. DISTRIBUTE TO	WASHINGTON HEADQUARTERS	FIELD	MAILING LISTS

☐ 20. DIRECT SHIPPING INST. ATTACHED ☐ 21. DISTRIBUTE ON RCPT. OF WORK ☐ 22. DISTRIBUTE WHEN NOTIFIED ☐ 23. FOR INSTRUCTIONS CALL:

24. ADDITIONAL OR SPECIAL DISTRIBUTION INSTRUCTIONS

FOLD TO:	COPIES
	8 x 5-1/4
	8 x 3-1/2
	x
	Self-Mailer
DIST. CLEAR	

IT IS CERTIFIED THAT THIS WORK IS AUTHORIZED BY LAW AND NECESSARY TO THE CONDUCT OF THE BUSINESS OF THIS ORGANIZATION, AND THE ILLUSTRATIONS ORDERED ARE NECESSARY AND RELATE ENTIRELY TO THE PUBLIC BUSINESS.

CLEARED BY (SIGNATURE)

REQUESTING OFFICE (SIGNATURE)		PRINTING REVIEW POINT (SIGNATURE)			
ROUTING SYMBOL: UAD	DATE: 1-20-72	ROUTING SYMBOL: UAD-45	DATE: 1-21-72	ROUTING SYMBOL	DATE

FORM DOT F 1700.3 (12-69) PRINTING, BINDING, DISTRIBUTION, AND EDITORIAL SERVICES REQUEST

Figure XI-2.--Printing, Binding, Distribution and Editorial Services Request

DEPARTMENT OF TRANSPORTATION
REQUEST FOR PHOTOGRAPHIC SERVICE
(SEE REVERSE SIDE FOR INSTRUCTIONS)

(Do not write in shaded areas)

JOB NUMBER

FROM:

1. AGCY LETTERS: UMTA
2. OFFICE, SERVICE, OR BUREAU: Administration
3. DIVISION:
4. NAME OF PERSON TO CONTACT: John DoaKs
TELEPHONE NO.: 61111
ROUTING SYMBOL: UAD-33
5. APPROPRIATION SYMBOL: E2-60-000....."

6. LOCATION OR STUDIO PHOTOGRAPHY

A. LOCATION OF ASSIGNMENT: (Complete block 6 only when requesting Portrait work, or when Photo Branch Photographer is required.)

B. DATE AND TIME ASSIGNMENT IS TO BE

C. SUBJECT OF ASSIGNMENT

D. TYPE OF PHOTOGRAPHY: ☐ STILL MOTION

E. TYPE OF FILM: ☐ COLOR BLACK AND WHITE

7. LABORATORY PHOTOGRAPHIC SERVICES

A. MATERIAL SUBMITTED		B. MATERIAL REQUIRED										
				(3) PHOTOGRAPH*								
(1) BRIEF IDENTIFICATION OF EACH PIECE	(2) SIZE OF EACH PIECE SUBMITTED	(1) FINISHED SIZE WANTED	(2) NO. OF EACH WANTED	C	BW	G	D	SW	DW	C	BW	P	I
(1) 7 Charts	15x20"	35mm Slides	2							X			
(2) 3 Charts	14x18"		5								X		
(3) 1 Picture of Bus	8x10"	Same	20		X			X					

C. DISPOSITION OF PHOTOGRAPHIC NEGATIVES: ☒ RETURN TO REQUESTER ☐ RETAIN IN PHOTO BRANCH ☐ DESTROY

D. DATE FINISHED MATERIAL REQUIRED: (Allow 5 work days for Delivery)

* C-Color prints or transparencies BW-Black and white prints or transparencies G-Glossy prints P-Overall print
SW-Single weight paper DW-Double weight paper P-Diazo print I-Diazo intermediate

8. ADDITIONAL INSTRUCTIONS OR INFORMATION

9. SIGNATURE OF REQUESTER	10. SIGNATURE OF AUTHORIZING OFFICIAL	DATE MATERIAL MAILED
		11. RECEIPT FOR FINISHED MATERIAL
TITLE: Office Head	TITLE: UAD-45	RECEIVED BY
DATE: Jan. 20, 1972	DATE: Jan 21, 1972	DATE

Form DOT F 1700.5 (7-68)

Figure XI-3.--Request for Photographic Service

VISUALS SERVICES REQUEST		DATE SUBMITTED	DATE REQUIRED	VISUALS USE ONLY
		1/10/72	1/20/72	JOB NUMBER
ORIGINATING OFFICE	NAME OF PERSON TO CONTACT	PHONE NO.	ROUTING SYMBOL	
U.M.T.A.	Fred Frebee	61111	U.A.D-33	

THIS WORK WILL BE USED *(Mark all applicable boxes)*

☐ OUTSIDE THE AGENCY ☐ WITHIN ORDERING OFFICE ONLY ☐ WITHIN FAA

☐ ONE TIME ONLY ☒ MORE THAN ONE TIME *(Explain below)* ☐ AS CAMERA COPY

COMMERCIAL PROCUREMENT AUTHORIZED		AUTHORIZING OFFICIAL *(Signature and title)*
☐ YES ☐ NO	APPROPRIATION CHARGEABLE E2-60-000.....	(Must be signed by UAD-45)

WORK REQUESTED *(Description and quantity)*

Prepare 12 Flip charts from the attached 12 samples of copy.

TYPE OF WORK	NO. UNITS IN-HOUSE	NO. UNITS CONTRACT
GENERAL		
CHART AND GRAPH		
ILLUSTRATION		
TECHNICAL ILLUSTRATION		
EXHIBIT		

HOW WORK WILL BE USED

To be included in presentation which will be given for OST and OMB personnel.

COMPLETED WORK RECEIVED BY	SIGNATURE	DATE

FAA Form 1730-1 (6-66) SUPERSEDES FAA FORM 2437

Figure XI-4.--Visual Services Request

Chapter XII
Sole-Source Procurement

		Page
1.	General	XII-1
2.	Initiation of Request	XII-1
3.	Sole-Source Board	XII-2
4.	Board Action	XII-2
5.	Board Recommendations	XII-3
6.	Third-Party Contracts	XII-4

CHAPTER XII

SOLE-SOURCE PROCUREMENT

1. GENERAL

A sole-source procurement is a contract awarded to a specific firm without entertaining competitive bids or consideration of other firms. It must be determined that the specified firm is the only one having the capability to perform the desired work satisfactorily within the required time constraints, as specified in section 4 of this chapter. This determination must be fully justified by the requesting office.

While sole-source procurements should be avoided whenever possible, it is recognized that in certain circumstances, it is in the best interest of the Government to follow this course of action. Any sole-source procurement must conform to the provisions of DOT Order 4400.4, "OST Procurement Procedures," DOT Notice 4200.5 "Sole-Source Review and Approval," and the Federal Procurement Regulations.

The Associate Administrator for Administration (UAD-1) has been assigned responsibility for chairing an UMTA Sole-Source Board, to evaluate these requests and submit approved sole-source procurements to the OST Procurement Operations Division (TAD-43).

Sole-source procurements will be processed in much the same manner as direct procurements as outlined in chapter XI, except for Sole-Source Board action, and the additional requirement to substantiate requests for sole-source procurement. Sole-source procurements might be used either in the procurement of UMTA supplies and services, or in conjunction with an RD&D project.

2. INITIATION OF REQUEST

The UMTA requesting office shall prepare a Procurement Request (DOT F 4200.1) as shown in Figure XI-1, and obtain the approval of the office head. The form will then be submitted to UAD-1, which will verify the availability of funds and approve the PR. The form will then be routed to the Office of the Administrator (UOA-1) for review and final approval.

The approved form, plus any additional information that may be deemed necessary to justify the selection of the firm

as a sole source, will then be forwarded to TAD-43, which will review it for completeness and conformance to sole-source requirements. If the proposed procurement is estimated to exceed $2,500, TAD-43 will forward the documents to UAD-1 with a written recommendation that the Sole-Source Board be convened to evaluate the proposed procurement.

Proposed sole-source procurements below $2,500 will require essentially the same justification as those of higher value, but they will be evaluated by TAD-43 without referral to the UMTA Sole-Source Board. After applying specific tests as to conformance with sole-source requirements, TAD-43 will determine whether the procurement should be sole source or processed through competitive bidding procedures. In the event TAD-43 determines that additional substantiating information is required, the documents will be returned to the requesting office.

3. SOLE-SOURCE BOARD

The UMTA Sole-Source Board shall be composed of three members, with the Associate Administrator for Administration (UAD-1) serving as chairman. The other two members shall consist of an OST procurement specialist, and a member of the UMTA Chief Counsel's staff. Requests for sole-source procurement will be reviewed by the Board prior to any solicitation, and no sole-source procurement or negotiation subject to Board review shall be undertaken without prior approval of the Board.

4. BOARD ACTION

Upon notification by TAD-43 that the requested procurement is pertinent for consideration by the Sole-Source Board, the chairman shall notify the members of the Board. At the discretion of the chairman, the Board will act on proposed sole-source procurements either by circulating the appropriate papers among the Board members, or by meeting as a group. No Board member shall act upon a procurement with which he has been directly involved. In such an instance he should disqualify himself, and the chairman will appoint an alternate to act in his place.

Approval or disapproval of a requested sole-source procurement shall be by majority vote of the Board members considering the case. The Board shall recommend to the approving official, by majority vote, the approval or disapproval of each requested non-competitive procurement. Except for the exemptions listed in Attachment 1 to DOT Notice 4200.5, proposed non-competitive procurements estimated

to exceed $100,000 shall be approved by the Administrator, or Deputy Administrator. Authority to approve proposed non-competitive procurements between $2,500 and $100,000 may be delegated to the Associate Administrator, and the Director, Office of Civil Rights and Service Development.

Each proposed non-competitive procurement shall be supported by a written justification. It will not be sufficient merely to conclude generally that a certain company is uniquely qualified, or is the only company which can meet a certain delivery requirement. If a unique capability is claimed, particulars and details must be furnished as to how and in what manner the company is solely qualified (mere preferability or desirability is not sufficient). General conclusions and statements as to capability, experience, personnel know-how, etc., will not be acceptable, and detailed explanations of why and how only one supplier is available must be submitted with the procurement request. If a claim is made that time requirements dictate a sole supplier, it must be factually demonstrated that the delivery schedule is critical to the Department's needs and a precise statement made as to the damage that will be sustained if the delivery schedule is changed to allow competition. A mere recitation of an administratively established deadline, commissioning date, or implementation schedule is not enough. Finally, if it is claimed that only one company can furnish a particular property or service needed by UMTA, it must also be demonstrated why another particular property or service which is obtainable competitively cannot be procured in lieu of the sole source item.

5. BOARD RECOMMENDATIONS

The requesting office and TAD-43 will be informed in writing of the Sole-Source Board's recommendation for each requested sole-source procurement.

* Approved requests: Sole-source procurement requests approved by the Board or higher authority shall be annotated to evidence such approval and shall be forwarded to TAD-43 with recommendation to process in accordance with authorized procurement procedures.

* Rejected requests: Those sole-source procurement requests rejected by Board action will be returned to TAD-43 with written notification of the reasons for rejection. In this case, TAD-43 will request additional justification from the requesting office,

or will proceed with the normal procurement procedures as prescribed in the Federal Procurement Regulations.

6. THIRD-PARTY CONTRACTS

Sole-source contracts awarded to third parties by grantees are referenced in chapter IV of this Handbook. Grantees are encouraged to apply similar procedures and provide similar justification before requesting UMTA approval of any proposed sole-source procurement.

Chapter XIII
Selection of Firms to Provide Expert or Consultant Services By Contract

		Page
1.	General	XIII-1
2.	Task Definition	XIII-1
3.	Preparation of Procurement Request	XIII-2
4.	Selection Process	XIII-2
5.	Negotiation Responsibility	XIII-3
6.	Contracting Officer Technical Representative	XIII-3
7.	Relationship to Sole-Source Approval	XIII-4
8.	Release of Information	XIII-4

CHAPTER XIII

SELECTION OF FIRMS TO PROVIDE EXPERT OR CONSULTANT SERVICES BY CONTRACT

1. GENERAL

In the selection of a firm (or an individual) to provide expert or consultant services to UMTA, it may be inappropriate, because of the nature of the work, or impractical, because of professional ethics, to base the selection on competitively solicited price proposals. Accordingly, the Staff Coordinator-Grant Contract Analyst (UAD-43) has been assigned responsibility for assisting UMTA offices and the OST Procurement Operations Division (TAD-43) in selecting the most qualified firm to perform the required effort. None of the procedures that follow, however, shall be construed to infringe upon the responsibility vested in TAD-43 to make the final determination required by the Federal Procurement Regulations as to whether the source selection is proper and whether any guidance is provided in DOT Order 4400.5, "Selection of Firms to Provide Expert or Consultant Services by Contract" and DOT Notice 4200.6, "Source Selection."

2. TASK DEFINITION

Before deciding to contract for expert/consultant services, the requesting office shall explore fully the possibility of using existing UMTA personnel or hiring additional employees possessing the expertise desired. If it is determined that civil service employees could possibly be used, the work assignment shall be discussed with the Personnel Staff Coordinator (TAD-42). Hiring of additional UMTA employees shall be accomplished in accordance with the procedures outlined in chapter XVII of this Handbook. If the office has determined that it is most feasible to contract for the required service work, the selection approach outlined in section 4 of this chapter shall be followed.

The office requiring the services shall prepare a statement of the intended work, and shall discuss it and the means of obtaining the services with the office head. If the proposed procurement is determined to be sole source, then the procedures described in chapter XII should be followed. For competitive selection of firms, the procedures described in sections 3 and 4 of this chapter will be followed.

3. PREPARATION OF PROCUREMENT REQUEST

The requesting office shall discuss the proposed statement of work with UAD-43 and seek advice and assistance in the preparation of a Procurement Request (PR) Form DOT F 4200.1. In addition to a description of the desired work, the requesting office may also include on the PR the names of firms believed to be qualified to perform the desired work. The PR will then be signed by the head of the requesting office and forwarded to the Associate Administrator for Administration (UAD-1) for review and evaluation of the availability of funds. If acceptable, the PR will be approved by UAD-1 and submitted to the Office of the Administrator (UOA-1) for final approval.

4. SELECTION PROCESS

The approved Procurement Request shall be forwarded to TAD-43, which will obtain names from its files of additional firms that either have expressed an interest previously or have done work of this type in the past. (In preparing UMTA procurements, TAD-43 follows DOT policy and procedures for soliciting, evaluating and selecting sources to perform major negotiated procurements as contained in DOT Notice 4200.6, "Source Selection.") Letters shall then be sent by TAD-43 to the selected sources asking if they are interested in the project, requesting a list of key personnel available to work on the project, and requesting a budgetary estimate of costs. The estimated value of the procurement, as determined by UMTA, may be furnished to the firms under review if deemed essential to create interest in the project. TAD-43 representatives and the requesting office may also conduct personal interviews with employees of the firms, inspect their facilities, and obtain such additional information from the firms as may be deemed necessary. Where it is determined that the services are available from only one source, TAD-43, assisted by the requesting office, shall prepare a detailed evaluation of the recommended source and shall document whatever consideration was given to other sources.

TAD-43 and the requesting office will evaluate the contractors' replies against the requirements of the task, and will prepare a listing of the firms in order of preference. A summary of the factors to be considered in making this detailed evaluation follows:

* Specialized experience and technical competence of the firms as applicable to the proposed work

* Facilities available to the firms for this effort, and their capacity to accomplish the effort in the required time

* Past record of performance on contracts with DOT or other Government agencies

* Additional specific criteria as determined by the requesting office

A written report should also be prepared by the UMTA office to document this listing, and thereby substantiate the selection of one firm over another. This report should include comparison data on key personnel, facilities, capacity of firms to provide the services, and comments relative to past performance, if available. The report shall be submitted for approval of the Chief of Procurement Operations in TAD-43, prior to negotiation with any firms.

5. NEGOTIATION RESPONSIBILITY

The TAD-43 Contracting Officer is responsible for conducting the negotiations and for the results thereof. Prior to entering into any negotiations, the Contracting Officer must ascertain that the basis for the selection is fully documented. A proposal shall then be solicited from, and negotiations conducted with, the firm given first preference under the procedures set forth in section 4 of this chapter. If a mutually satisfactory contract at a reasonable price cannot be negotiated with the top-ranked firm, negotiations shall be initiated with the firm given second preference, and this procedure shall be continued until a mutually satisfactory contract has been negotiated. All proposed contracts over $1,000,000 shall be reviewed by the Administrator. All proposed contract awards between $100,000 and $1,000,000 shall be reviewed by the Deputy Administrator. Both the required review and the subsequent report of the review shall be made in accordance with DOT Notice 4200.7, "Review of Proposed Contract Awards."

6. CONTRACTING OFFICER-TECHNICAL REPRESENTATIVE (COTR)

After the contract has been signed by both parties, TAD-43 may request that the requesting office designate an employee to serve as the COTR until the task has been completed. The COTR should be an individual fully aware of the services to be performed, and he should have been involved in some of the preliminary work leading to the contract award. His primary duties will be to act in a liaison capacity with the contractor, TAD-43, and the UMTA office receiving the services, and to provide technical direction and advice to the contractor so long as it does not change the scope of work, price, or delivery schedule of the contract.

7. RELATIONSHIP TO SOLE-SOURCE APPROVAL

Since the procedures for obtaining expert or consultant services provide for consideration of competitive sources, any contract for such services shall be considered as a contract through competitive procurement. Negotiations of such contracts, even though conducted with only one source, are not sole-source negotiations within the meaning of DOT Order 4400.4, "OST Procurement Procedures," and chapter XII.

8. RELEASE OF INFORMATION

The list of qualified firms in order of preference is for internal use only and shall not be made known to the sources under consideration nor to any other nongovernmental source.

Chapter XIV
Office Facilities Work Requests

Page

1. General..... XIV-1
2. Telephone Equipment..... XIV-1
3. Changes in Office Space and Electrical Requirements..... XIV-1

CHAPTER XIV

List of Figures

Figure No.	Title
XIV-1	Job Order

CHAPTER XIV

OFFICE FACILITIES WORK REQUESTS

1. GENERAL

Providing assistance to obtain or change UMTA office facilities is the responsibility of the Logistics and Procurement Section (UAD-45) of the Office of Administration (UAD-1). UAD-45 reviews work requests and coordinates them for action with the appropriate division of the OST Office of Administrative Operations (TAD-40). Generally, these requests involve the installation of new office equipment, new electrical outlets, or the modification of office spaces or facilities.

Requests for such work are initiated by the various UMTA offices. It is advisable, however, to discuss all desired work with UAD-45 prior to preparing the required forms for official processing.

Before approving the work request, the office head is responsible for verifying that budgeted funds are available for the desired work. This may be verified by reviewing individual office records, or through the Financial Management Office (UAD-20).

2. TELEPHONE EQUIPMENT

The requesting office shall submit a memorandum to UAD-45 for any additions or changes to its telephone systems. The memorandum must be signed by the office head. UAD-45 shall evaluate the request before forwarding it to the OST Communications Management Branch (TAD-472) and indicate a required due date for the work to be accomplished. TAD-472 is responsible for preparing the official telephone work order and forwarding it to the telephone company representatives for action.

A copy of the bill for services rendered is submitted to UAD-45, where it is reviewed for reasonableness of cost and assurance that services billed were actually received. If acceptable, UAD-45 approves the bill for payment, and forwards it to OST Accounting Operations (TAD-45).

3. CHANGES IN OFFICE SPACE AND ELECTRICAL REQUIREMENTS

The requesting office will notify UAD-45 by a memorandum signed by the office head requesting changes or additions to

electrical facilities or office space. All work requested must conform to requirements of DOT Order 1700.16, "Management of Administrative Space in Headquarters." After evaluation of this request, UAD-45 shall prepare a Job Order (GSA Form 1354) as shown in Figure XIV-1. This form requires the approval signature of the Associate Administrator for Administration (UAD-1). If approved, the Job Order will then be submitted to the OST Space Engineering and Design Branch (TAD-473), along with all applicable drawings. After a final review of the Job Order, TAD-473 will contact GSA to make arrangements for a work crew, which will report to UAD-45 when scheduled to perform the requested work. After the task is finished, a copy of the Job Order (including charges) is submitted to UAD-45. The work indicated and the amounts billed will be examined and the costs compared with a standard charge schedule. If acceptable, the Job Order and invoice will be approved by UAD-45 and sent to the Financial Management Division (UAD-20).

GENERAL SERVICES ADMINISTRATION-PUBLIC BUILDINGS SERVICE

JOB ORDER

1. AGENCY NO.: WT- xxxxx

PBS JOB ORDER:

2 DEPARTMENT OR AGENCY: Urban Mass Transportation Admin.

3. DATE OF ORDER: 1/6/72

ESTIMATED COST:

4. SEND BILL TO: UMTA - ATTN: UAD-20

5. APPROPRIATION: E2-60-01.02.00.00-62000-2552

PBS APPROVAL *(Signature)*:

6. CONTACT *(Name)*: James Webb

7. BUILDING AND ROOM: Nassif - 9228A

8. TELEPHONE: 64007

DATE APPROVED:

9. SIGNATURE OF ORDERING OFFICER: (to be signed by UAD-1)

10. TITLE: Associate Administrator for Administration

MATERIAL USED: ☐ YES ☐ NO

11. DESCRIPTION AND LOCATION OF WORK

1. Remove 3 telephone and electrical outlets in room 9317.

2. Add 1 telephone outlet only in room 9317.

3. Relocate door to room 9317.

- SEE ATTACHED DRAWINGS FOR EXACT LOCATION OF WORK.

ESTIMATED COST: $400.*

SHOPS

ACTUAL JOB COST

LABOR	
MATERIALS	
TOTAL	

DATE COMPLETED:

FOREMAN *(Signature)*:

GSA to complete this section

1. GSA COPY

(Instructions for preparation on reverse of green copy)

WORK SAFELY

GSA FORM FEB 66 1354

* UMTA estimate for obligating purposes.

Figure XIV-1.--Job Order

Chapter XV
UMTA Project Files

Page

1. General..... XV-1
2. Responsibilities..... XV-1
   a. UMTA Program Personnel..... XV-1
   b. UAD-10..... XV-1
3. File Contents..... XV-2
   a. Grants..... XV-2
      (1) Folder 1..... XV-2
      (2) Folder 1A..... XV-2
      (3) Folder 2..... XV-2
      (4) Folder 3..... XV-3
   b. Government Procurement Contracts and Interagency Agreements..... XV-3
   c. Loans..... XV-4
      (1) Folder 1..... XV-4
      (2) Folder 2..... XV-4
      (3) Folder 3..... XV-4
4. File Control Procedures..... XV-4
   a. Withdrawing Files..... XV-5
   b. Returning Files..... XV-5

CHAPTER XV

List of Figures

Figure No.	Title
XV-1	Chargeout Record

CHAPTER XV

UMTA PROJECT FILES

1. GENERAL

All official UMTA project files are maintained by the Program Administration Division (UAD-10), Office of Administration. Materials to be included in the project files are provided to UAD-10 by representatives from the various UMTA offices.

2. RESPONSIBILITIES

a. UMTA Program Personnel.

* Confer with UAD-10 personnel to insure that the filing plan and format are so devised and arranged as to facilitate ease of reference and utilization during project administration

* Promptly forward all project documentation to UAD-10 for inclusion in the official project files

* Periodically review the project files to insure that all project material has been forwarded and is included in the project files

b. UAD-10.

UAD-10 shall establish controls to insure that all materials forwarded by program personnel are promptly and accurately filed. That Division also shall:

* Maintain the UMTA files in a clean, current, and orderly fashion

* Establish an inventory record and file retrieval system to provide continuing control over all UMTA project files

* Seek guidance from the cognizant program personnel whenever materials forwarded for filing are not routine and do not coincide with one of the normal file headings

3. FILE CONTENTS

a. Grants.

Files for the various approved UMTA projects are maintained by grant program. Moreover, within each program they are arranged alphabetically by State, and each project within a given State is filed in numerical order according to the date the application was received. Files for pending grant applications are arranged alphabetically by State and then by grant program.

A general outline of the contents of an UMTA grant project file is presented below:

(1) Folder 1:

(a) Final Application

(b) Contract

(c) Project Approval Package

(d) Approved Project Budget

(e) Balance Sheets and Requisitions

(f) Audit and Project Closeout

(g) General Correspondence

(h) Additional One-sixth Grant

(i) Litigation (where applicable)

(2) Folder 1A:

(a) Progress Reports

(b) Grant and/or Contract Status Reports

(c) Interim Technical Reports

(d) Miscellaneous Other

(3) Folder 2:

(a) Publicity Incident to Project Application

(b) Supporting Material for Application

(c) Preliminary Applications (Note: filed here only if additional revised applications were required before project approval.)

(4) Folder 3:

(a) Contract Control Summary

(b) Bids, Specifications, Requests for Bids

(c) Wage Rate Determinations

(d) Third-Party Contracts

(e) UMTA Approvals of Third-Party Contract

b. Government Procurement Contracts and Interagency Agreements.

Government procurement contract and interagency agreement files are maintained by procurement program and include research contracts, demonstration contracts, and miscellaneous other procurements. The method of funding for these projects is by direct procurement rather than by grant; however, program funds are still cited for disbursement purposes. Within each procurement program the files are arranged alphabetically by State, and the individual projects within each State are filed in numerical order according to the date the purchase request was approved.

A typical file for these direct procurements consists of the following:

(1) Purchase Request and Project Approval Memorandum

(2) General Correspondence

(3) Disbursements

(4) Contract or Purchase Order

(5) Audit and Closeout

Use of direct procurement techniques also result in UMTA's receiving unsolicited proposals from various sources. Since each of these must be evaluated, they are also permanently retained by UAD-10. Unsolicited proposals are separately maintained and are filed chronologically by the State in which the preparer maintains his place of business.

Usually, only one file is required and it contains the proposal and a chronological accumulation of correspondence and reports evidencing UMTA's evaluation efforts.

c. Loans.

Capital Assistance and Advance Land Acquisition Loan project records are filed immediately following the UMTA capital grants files. These files are arranged alphabetically by State and the projects within a given State are filed in numerical order according to the date the application was received by UMTA.

A general outline of the contents of an UMTA loan project file is presented below:

(1) Folder 1:

(a) Application

(b) Loan Agreement

(c) Approval Package

(d) General Correspondence

(2) Folder 2:

(a) Publicity Incident to Project Application

(b) Supporting Material for Application

(c) Preliminary Applications (if any)

(3) Folder 3:

(a) Contract Control Summary

(b) Bids, Specifications, Requests for Bids

(c) Wage Rate Determinations

(d) Third-Party Contracts

(e) UMTA Approvals of Third-Party Contracts

4. FILE CONTROL PROCEDURES

UMTA personnel are permitted to enter the file room to withdraw and return the files needed during the course of

of their work. It is imperative, however, that no material be permanently removed from the individual project files. File room personnel are available to assist in locating desired material and file room records.

a. Withdrawing Files.

The following procedures are to be followed when project files are removed from the file room area:

* The user goes to the area where the project folder desired would normally be filed. (If the desired folder is not found in the appropriate area, the "chargeout-control file" should be reviewed to determine who has the file.)

* The desired folder is withdrawn from the file cabinet.

* A "Chargeout Record" (Optional Form No. 23, Figure XV-1) is prepared by the user and placed in a marked box located on one of the file room desks.

* Chargeout records are filed daily by file room personnel in a chargeout-control file which is arranged alphabetically by State and is located in the file room.

b. Returning files.

The process for returning files to UAD-10 consists simply of:

* The user depositing the project folder on the appropriately marked table located in the file room.

* UAD-10 returning the folder to the file and pulling the chargeout record from the chargeout control file.

OUT

IDENTIFICATION OF RECORD (NUMBER, TITLE AND/OR SUBJECT, DATE OF FILE OR DOCUMENT)	CHARGED TO (PERSON & OFFICE)	DATE CHARGED OUT
Pa.- UTG-2	J. T. Zilch (UPO-99)	1/2/72

OPTIONAL FORM 23
FEB 1962
GSA Circular No. 259

CHARGEOUT RECORD
5023-101

GPO : 1962 OF—612734—49-8

DATE CHARGED OUT	CHARGED TO (PERSON & OFFICE)	IDENTIFICATION OF RECORD (NUMBER, TITLE AND/OR SUBJECT, DATE OF FILE OR DOCUMENT)

OUT

Figure XV-1.--Chargeout Record

Chapter XVI
Mail Management

		Page
1.	General	XVI-1
2.	Incoming Mail	XVI-1
	a. Received by UAD-10 Mailroom	XVI-1
	(1) Certified and Special Delivery Mail	XVI-1
	(2) Interdepartmental and Intradepartmental Correspondence	XVI-2
	(3) Project Mail	XVI-2
	(4) Telegrams	XVI-2
	(5) Congressional Mail Received by UMTA Mailroom	XVI-2
	(6) Public Inquiry Mail	XVI-3
	b. Received by UOA-10	XVI-3
	(1) Controlled Mail	XVI-3
	(a) Executive Secretarial Action Slip	XVI-3
	(b) White Control Sheet	XVI-4
	(2) Red Action Sticker Mail	XVI-5
	c. Hand-Carried Incoming Mail	XVI-5
3.	Outgoing Mail	XVI-5
4.	Classified Mail	XVI-6
5.	Personal Mail	XVI-6

CHAPTER XVI

List of Figures

Figure No.	Title
XVI-1	Incoming Check Log
XVI-2	Incoming Memo Log Sheet
XVI-3	Mail Control Form
XVI-4	Executive Secretariat Action Slip (Green)
XVI-5	White Control Slip
XVI-6	Red Action Sticker
XVI-7	Telegraphic Message Form

CHAPTER XVI

MAIL MANAGEMENT

1. GENERAL

The Assistant Secretary for Administration, OST, has primary responsibility for the DOT mail management system. Prescribed DOT guidance for a mail management system and the implementing standards and procedures are contained in DOT Orders 1320.11, "Mail Management System," and 1320.12, "Mail Standards and Procedures."

The majority of UMTA mail is received and processed by the Office of Administration, Program Administration Division (UAD-10). A mailroom facility has been established within UAD-10, and standards and procedures have been implemented for the receipt, delivery, collection, and dispatch of mail. Mail of a special or priority nature, such as congressional inquiries and OST memorandums requiring replies, is further controlled and processed by the Special Assistant (UOA-10), Office of the Administrator. The procedures that follow describe the UMTA mail management system and implementation of the prescribed DOT guidance.

2. INCOMING MAIL

a. Received by UAD-10 Mailroom.

Most mail addressed to offices or individuals in UMTA is delivered to UAD-10 by the DOT Mail Services Branch (TAD-442). Normally, UAD-10 will open, date stamp, and sort by UMTA office, each piece of incoming mail. A mail messenger makes two visits each day to deliver the sorted mail to the various UMTA offices and pick up outgoing mail. Special processing procedures are sometimes required, however, because of the nature of the incoming material received. A brief description of the procedures followed for special-type mail is presented below.

(1) Certified and Special Delivery Mail--Although received in the UAD-10 mailroom, this mail shall be processed only by one of the two bonded UAD-10 employees. Included in this type of mail are refund checks or important legal and technical documents usually submitted by a grantee. Checks are recorded on a special log sheet (Figure XVI-1) with a notation as to origin, disposition, check number, and amount. This mail is then hand-carried by the bonded UAD-10 employee

to the Financial Management Division (UAD-20), or in the case of other important documents, to the designated UMTA office. If this type of mail requires a response or action by UMTA, it is controlled in the same manner as discussed in the following paragraph.

(2) Interdepartmental and Intradepartmental Correspondence--All incoming memos, which require a response by UMTA, are entered on a log sheet (Figure XVI-2) to indicate the date received, subject, and disposition, and are then forwarded to the UMTA action office after a Mail Control FAA Form 1770-5 (Figure XVI-3) has been prepared and attached to the memo. One copy of this form is retained by UAD-10 and placed in a suspense file showing the date the response is due. If the designated office has not responded within two days from the due date, then UAD-10 shall notify that office of the impending deadline and maintain followup action until a response is obtained. When the response is prepared, the originating office shall sign and date the FAA Form 1770-5 and return it to UAD-10 for permanent retention.

(3) Project Mail--Mail concerning a specific grant or loan project is referred to as project mail, and may include items such as grant applications, progress reports, and requisitions and contracts. This mail is date-stamped and logged in UAD-10 before distribution by the mail messenger to the appropriate project office. Project mail may sometimes be received in the form of certified or special delivery mail. In such instances the processing procedures for certified or special delivery mail will be followed.

(4) Telegrams--Whenever telegrams are delivered to the UAD-10 Mailroom by the OST Mailroom (TAD-442), they are entered on a Telegram Log Sheet, and are hand-carried directly to the action office. A representative of the accepting office will sign this log sheet where indicated, to verify its delivery. If the telegram requires a response or specific action by UMTA, it is accompanied by a Mail Control Form (FAA-1700-5) and controlled in the same manner as described in section 2a(2) above.

(5) Congressional Mail Received by UMTA Mailroom--Congressional mail addressed directly to the UMTA Administrator, an UMTA office, or staff member is date-stamped, posted to a correspondence log (indicating date received, subject, origin, and disposition), and then given a reply suspense date by UAD-10. An FAA 1770-5 Mail Control Form is attached to the correspondence, and a copy of the form is retained by UAD-10 when the package is forwarded to UPA or another appropriate UMTA office for reply, as discussed above in section 2a(2). Replies to congressional mail must be

submitted within five working days after receipt by UMTA, as specified in DOT Order 1325.2A, "Correspondence Manual." When the response is prepared, the originating office shall sign and date the FAA Form 1770-5 and return it to UAD-10 for permanent retention.

(6) Public Inquiry Mail--This mail includes inquiries or correspondence from the general public, public bodies and agencies. Most inquiries require a specific answer, and are referred to the Office of Public Affairs (UPA-1) for a written reply, after being date stamped by UAD-10. The original letter is subsequently returned to UAD-10 along with a copy of the reply. Many inquiries are routine requests for UMTA information (such as procedural guides, publications, application forms, etc.), and are answered directly by UAD-10 through the use of a printed reply card.

b. Received by UOA-10.

In addition to the mail received by UAD-10, the Special Assistant (UOA-10) to the Administrator, receives certain mail from the Executive Secretariat (S-10) for UMTA action. This category includes mail from the White House, Congress, elected officials, important individuals and the general public which is addressed to the Secretary (S-1), Under Secretary (S-2), Deputy Under Secretary (S-5) or the Director, Office of Congressional Relations (S-70).

(1) Controlled Mail--UOA-10 receives two types of controlled mail.

(a) Executive Secretariat Action Slip.--Mail controlled by a green Executive Secretariat Action Slip (OST Form 1325.2, see Figure XVI-4), requires action as indicated on the face of the form. UOA-10 analyzes the contents of material received and forwards the correspondence to the appropriate UMTA office for the action required by the Action Slip.

* UOA-10 controls this mail within UMTA by maintaining a log or a suspense file and initiating prompt followup action to ensure that the designated UMTA action office responds by the prescribed deadline date.

* Congressional correspondence must be answered by the date a reply is due in S-10 as indicated on the green Action

Slip. Usually this due date is within five working days from the date action is assigned to UMTA.

* If the preparation of a response requires substantial research by the designated UMTA action office, an interim response shall be prepared to advise the person originating the correspondence of the additional research involved, and to estimate when the final response will be forthcoming. UOA-10 will be advised of the steps taken by the UMTA action office, after which UOA-10 will advise S-10 of the action taken by UMTA.

* S-10 forwards a listing to UOA-10 once each week, specifying which controlled mail in this category has not yet been answered by UMTA. UOA-10 must respond to S-10 within 48 hours by either submitting the required replies or else advising S-10 why no reply has been prepared.

* UOA-10 ensures that the Administrator is kept currently informed of mail in this controlled category, and shall obtain the approval of the Administrator, or his delegated representative, before submitting written replies to S-10.

* When a response is being prepared, it shall be in the final format for the signature of the official designated on the S-10 Action Slip. If it is intended for the signature of the Secretary, it must conform to the provisions of DOT Order 1325.2A, Correspondence Manual, and the Executive Secretariat Guidelines, when published.

(b) White Control Slip.--The second type of controlled mail received from S-10 is transmitted by a white Control Slip (Figure XVI-5) for appropriate reply or handling. A copy of the reply, if any, is required by S-10. This mail will be analyzed, forwarded to the appropriate office for action, and controlled by UOA-10.

(2) Red Action Sticker Mail--In addition to the controlled mail, S-10 forwards mail to UOA-10 which is identified by a red Action Sticker (Figure XVI-6). This mail is analyzed by UOA-10 and forwarded to the appropriate UMTA office for reply or handling. S-10 does not require a copy of the reply, if any. This mail is neither logged nor controlled by UOA-10, unless special handling is requested.

c. Hand-Carried Incoming Mail.

Occasionally certain items of mail might be delivered directly to an UMTA employee without passing through UOA-10 or UAD-10. To ensure proper processing and control (if required) of this mail, the original copy will be delivered immediately to UOA-10 or UAD-10 for appropriate distribution to action offices.

3. OUTGOING MAIL

The mail messenger makes two daily visits to each UMTA office to deliver incoming mail and to pick up most official outgoing mail. After each mail run, the messenger returns the outgoing mail to UAD-10, where it is sorted for pickup by the DOT Mailroom (TAD-442). There are no logging or control requirements for most outgoing mail of a regular or routine nature. Special control procedures are required, however, for incoming documents that require an UMTA reply within an established time frame. Control procedures for such mail are described in section 2 of this chapter. Special procedures are also applied to outgoing mail of the following types:

* Certified, registered, and special delivery mail: Each individual office shall hand-carry these items of mail directly to the DOT Mailroom (TAD-442), which is located on the first floor of the Nassif Building.

* Oversize material: Large or bulky items will be picked up by the mail messenger during his regular daily mail runs. These items should be bound with string only, with the address attached. Upon receiving these items, UAD-10 shall prepare a franked mailing label and forward the label and the package to the DOT Mailroom (TAD-442), where the package will be wrapped and the label attached for mailing.

* Telegrams: Telegrams shall be sent by UMTA employees only in those instances where time is the determining factor in completing a transaction which

could not otherwise be handled by telephone or some other less costly form of communication. Whenever a telegram is to be sent, the originator shall prepare Standard Form 14, Telegraphic Message (Figure XVI-7), and hand-carry it to the Communication Duty Office, U. S. Coast Guard, Room 7402 in the Nassif Building.

4. CLASSIFIED MAIL

All classified mail for UMTA is delivered to the Office of Administration (UAD-44) by the OST Classified Control Center (TAD-44.1). UAD-44 is also responsible for maintaining accountability for classified material in the possession of UMTA, in accord with the provisions of DOT Order 1600.22, "Safeguarding Classified Information." For procedures relating to the processing of classified material, refer to chapter XX of this Handbook.

5. PERSONAL MAIL

Departmental facilities do not permit the handling of personal mail. Mail chutes are located near each bank of elevators in the building and are to be used for mailing personal correspondence.

INCOMING CHECK LOG

Date	Check No.	Bank Name	Amount	Project NO.	Disposition
Jan. 9, 1972	2183	Dallas National	$2,000.00	D-236	TO-TAD-95

Figure XVI-1.--Incoming Check Log

INTERDEPARTMENTAL
MEMORANDUM

DATE RECD	FROM	CONTROL NO.	SUBJECT
12/1/71	TAD-100 Joe Blow	12/16/71 UAD-Boswell	Re: Windstorm Report

Figure XVI-2.--Incoming Memo Log Sheet

☆ U. S. GOVERNMENT PRINTING OFFICE: 1972 — 454-478

FROM: John Doe, TAD-100

DATE-CORRESP.: 12/15/71

CONTROL NO.: UAD-11 12/16/71

SUBJECT: RE: WINDSTORM REPORT

DATE RECD.: 12/16/71

SUSPENSE DATE: 12/24/71

REMARKS

TO	DATE
1 UAD	12/16/71
2 BOSWELL	
3	
4	
5	

ACTION TAKEN

☐ NO ACTION NECESSARY

DATE ACKNOWLEDGED _____ BY _____

DATE ANSWERED _____ BY _____

OTHER _____

FAA Form 1770-5 (1-72) MAIL CONTROL FORMERLY FAA FORM 1828

Figure XVI-3.--Mail Control Form

FORM OST F
1325.2 (11-70)

DEPARTMENT OF TRANSPORTATION
EXECUTIVE SECRETARIAT

ACTION SLIP

CONTROL NO.

ACTION
Is Assigned To:

DATE

IDENTIFICATION

SUBJECT

INDEX DATA

DATE OF INCOMING ITEM

"X"	ACTION
	FOR APPROPRIATE ACTION
	FOR DIRECT REPLY. COMEBACK COPY REQUIRED _____
	A RESPONSE FOR SIGNATURE BY THE _____ PREPARE REPLY. SALUTATION: _____ CLEAR WITH _____
	PREPARE A _____ TO _____ MEMORANDUM ENCLOSING OR CONTAINING: _____ DRAFT REPLY FOR PRESIDENT'S SIGNATURE. _____ DRAFT REPLY FOR SIGNATURE BY _____
	DUE IN S-10 BY → [ ] ←

INFORMATION COPIES TO:

FILE COPIES TO

X	INDEX DATA	X	NUMERIC	X	ANALYST

REMARKS:

FINAL ACTION

FILE DATA

NOTES

1. Congressional correspondence MUST be answered within 5 days of initial date of receipt unless otherwise noted.
2. White House referrals MUST be answered within 3 days of initial date of receipt unless otherwise noted.
3. Direct replies to White House mail MUST be signed at Office Director level or higher.

COORDINATION/STAFFING

RTG. SYMBOL	INITIALS	DATE

IF DEADLINE CANNOT BE MET, INFORM S-10 IMMEDIATELY ON EXTENSION BELOW

SECRETARIAT STAFF

EXT.

Figure XVI-4.--Executive Secretariat
Action Slip (Green)

OFFICE OF THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

_____
(Date)

ACTION OFFICE:_____

The attached general public correspondence is sent to your office for appropriate reply or handling.

Please return one (1) copy of your response to S-10, ATTENTION: Messrs. Biglow/Nichols.

Executive Secretariat, S-10

Figure XVI-5.--White Control Slip

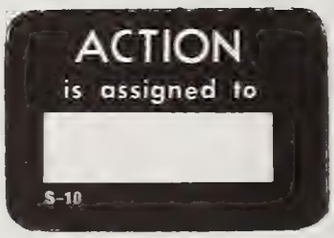


Figure XVI-6.--Red Action Sticker

TELEGRAPHIC MESSAGE

NAME OF AGENCY	PRECEDENCE	SECURITY CLASSIFICATION
Office of the Secretary Department of Transportation 400 Seventh Street, SW. Washington, D.C. 20590	ACTION: PRIORITY INFO: ROUTINE	
ACCOUNTING CLASSIFICATION	DATE PREPARED: 5/10/68	TYPE OF MESSAGE: ☐ SINGLE ☒ BOOK ☐ MULTIPLE-ADDRESS
FOR INFORMATION CALL		
NAME: John P. Davis, TEU-40	PHONE NUMBER: 13-55440	
THIS SPACE FOR USE OF COMMUNICATION UNIT		

MESSAGE TO BE TRANSMITTED *(Use double spacing and all capital letters)*

TO: ADMINISTRATIVELY PRIVATE

(PROTECT TO EACH ADDRESSEE AS A SINGLE ADDRESS)

TO. FRED MORROW
414 FIFTH STREET
FORT WORTH, TEXAS 07127

JEAN MIX
500 WEST SPRING STREET
MADISON, WISCONSIN 53704

INFO: PENDARS TRANSPORTATION COMPANY
219 NORTH BUCHANAN STREET
CHICAGO, ILLINOIS 60606

THE TEXT OF THE MESSAGE WILL BEGIN TWO LINES BELOW THE LAST ADDRESS LINE.

TRIPLE SPACE BETWEEN PARAGRAPHS OF THE TEXT.

JOHN AXTER
MANAGEMENT ANALYST, TAD-20
OFFICE OF THE SECRETARY
DEPARTMENT OF TRANSPORTATION

SECURITY CLASSIFICATION		
	PAGE NO. 1	NO. OF PGS. 1

STANDARD FORM 14
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-35.306

* GPO : 1967 OF—300-436 (9-H)

Figure XVI-7.--Telegraphic Message Form

Chapter XVII
Personnel

		Page
1.	General	XVII-1
2.	Recruitment	XVII-1
	a. General Recruiting	XVII-1
	b. Specific Recommendation	XVII-2
	c. Interviews of Out-of-Town Applicants for Employment	XVII-2
	d. Hiring by Promotion	XVII-3
	e. Advanced Grade Step	XVII-3
	f. Submission of Forms	XVII-3
3.	Promotions	XVII-3
4.	Performance Evaluation	XVII-4
5.	Employee Responsibilities and Conduct	XVII-4

CHAPTER XVII

List of Figures

Figure No.	Title
XVII-1	Request for Personnel Action (Recruitment)
XVII-2	Personal Qualifications Statement
XVII-3	Personnel Security Action Request
XVII-4	Data for Nonsensitive or Noncritical-Sensitive Position
XVII-5	Security Investigation Data for Sensitive Position
XVII-6	Promotional and Career Opportunities Form
XVII-7	Request for Personnel Action (Promotion)
XVII-8	Performance Evaluation Record

CHAPTER XVII

PERSONNEL

1. GENERAL

UMTA personnel matters are processed by the OST, Office of Personnel and Training, Personnel Operations Division (TAD-18). In addition, the UMTA Office of Administration maintains a Personnel Office (UAD-42), which serves in a liaison capacity to OST and provides personnel-type guidance to the various UMTA offices. All personnel actions must be processed through UAD-42 to TAD-18, but it is considered advisable to discuss all contemplated action with UAD-42 and TAD-18 before preparing the required forms.

The purpose of this section is to provide UMTA managers with a general frame of reference for processing personnel actions of a routine and recurring nature. Specific guidance for all personnel matters can be obtained from the appropriate sections of the "Federal Personnel Manual."

2. RECRUITMENT

Authorized personnel levels are allocated to each UMTA office by the Administrator. Before initiating efforts to obtain additional manpower, the office head shall review his personnel allocation to insure that the position and grade level desired are available within his assigned staffing levels. Operating officials requesting recruiting action must apply the following procedures:

a. General Recruiting.

Prepare the material as listed:

* An SF-52, Request for Personnel Action (Recruitment) (Figure XVII-1), in an original plus three copies.

* A description of the position to be filled. (If another identical position has already been established, a new Position Description (PD) is not required. Instead, merely include the PD number of the existing position and the position title in block 20 of SF-52.) A position description of the new position will be written by TAD-18; however, the requesting office should provide TAD-18 with

a short description of the functions and responsibilities to be carried out by the incumbent.

b. Specific Recommendation.

If a specific individual is being recommended, the documents listed as follows must also be submitted:

* SF-171, Personal Qualifications Statement (original plus three copies). See Figure XVII-2 for sample of this form.

* DOT F 1600.8, Personnel Security Action Request (original plus two copies). See Figure XVII-3 for sample of this form.

* Either SF-85, Data for Non-Sensitive Positions (Figure XVII-4), or SF-86, Data for Sensitive Positions, (Figure XVII-5), whichever is applicable (one complete set required). See DOT Order 1600.11, "Personnel Security Procedures" for sensitivity criteria.

c. Interviews of Out-of-Town Applicants for Employment.

The following techniques may be utilized in interviewing candidates:

* Applicants may travel to Washington or the site of the interview at their own expense.

* UMTA staff members travelling in or near the location of a candidate may conduct the interview.

* Arrangements for conducting the interview may be made with other DOT elements located near the candidate.

The Office of Administration will arrange for all interviews of candidates residing outside of the metropolitan Washington area. Accordingly, any office interested in interviewing such candidates shall notify the Personnel Office (UAD-42). That office shall be responsible for all correspondence and arrangements relative to the interview. It shall be the responsibility of UAD-42 to assure that any candidate interviewed be considered for all vacancies within UMTA for which he is qualified.

d. Hiring by Promotion.

If a position (regardless of grade) will be filled by a promotion action, a DOT Form 3300.6, Promotional and Career Opportunities Announcement, must be prepared by TAD-18 and posted within DOT. An example of this form is shown in Figure XVII-6. For details on the merit promotion plan, see OST Order 3300.1A and DOT Order 3300.1A, both entitled "Merit Promotion Plan." TAD-18 will screen the applications received as a result of the announcement and will provide the UMTA operating official with a listing of the most qualified candidates. Final selection will then be made from this listing.

e. Advanced Grade Step.

A memo should also be prepared if other than the initial step of a grade is requested for an individual entering the civil service.

f. Submission of Forms.

Forward the combined package resulting from steps a, b, and d to UAD-42 for review and coordination. UAD-42 will then submit the required forms to TAD-18 for action.

3. PROMOTIONS

Promotion actions are initiated by the employee's immediate supervisor. The official request for promotion (SF-52), however, is signed by the office head and submitted for approval to the Associate Administrator for Administration (UAD-1). Promotions to grades 15 and above must be approved by the Administrator, UMTA.

The following procedures must be followed in processing a promotion action:

* An SF-52, Request for Personnel Action (Promotion), must be prepared with an original and three copies (See Figure XVII-7).

* A Position Description (PD) must be prepared. See subparagraph 2a of this chapter for instructions on preparing a PD.

* The required forms are forwarded to UAD-42 for review and coordination. UAD-42 will then submit the required material to TAD-18 for action.

4. PERFORMANCE EVALUATION

Each UMTA employee must receive at least one performance evaluation annually. DOT Form 3430.1, "Performance Evaluation Record," (See Figure XVII-8) is used for this purpose, and will be provided by TAD-18 sixty days before the employee's anniversary of entrance on duty, promotion, or regular within-grade increase, whichever action is more recent. For information regarding the completion of this form, see DOT Notice 3430.1, "Revision of Performance Evaluation Record," Form DOT 3300.3.

UMTA supervisors are encouraged to frequently discuss on-the-job performance with their assigned personnel. Employees must be advised of the performance requirements for the position when they start a new job, and periodically thereafter as the duties of the position or the needs of the organization change. A complete and detailed presentation of the "DOT Performance Rating Plan" is contained in DOT Order 3400.4.

After completing the DOT Form 3430.1, discussing the overall evaluation with the employee, and obtaining his signature (where required) on part IV of the form, the supervisor shall forward the evaluation form to UAD-42 for review and coordination. UAD-42 shall then submit the form to TAD-18 for final action and filing.

5. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Guidance pertaining to UMTA employee responsibilities and conduct is contained in the DOT presentation published in volume 33, number 28, part II, of the "Federal Register" dated February 9, 1968 and changed February 22, 1968. A copy of this document is given to each new employee, and additional copies are available in the Office of the Personnel Staff Coordinator (UAD-42). Of particular significance are the provisions prohibiting an employee from having any outside interest that conflicts, or appears to conflict, with his Government duties and responsibilities.

Standard Form 52—Rev. July 1968
U.S. Civil Service Commission
FPM Ch. 295

REQUEST FOR PERSONNEL ACTION

PART I. REQUESTING OFFICE: Unless otherwise instructed, fill in all items in this part *except those inside the heavy lines.* If applicable, obtain resignation and separation data on reverse side.

1. NAME (CAPS) LAST–FIRST–MIDDLE MR.–MISS–MRS.	2. *(For agency use)*	3. BIRTH DATE *(Mo., Day, Year)*	4. SOCIAL SECURITY NO.

A. KIND OF ACTION REQUESTED: (1) PERSONNEL *(Specify appointment, reassignment, resignation, etc.)*	B. REQUEST NUMBER	C. DATE OF REQUEST
Recruitment		
(2) POSITION *(Specify establish, review, abolish, etc.)*	D. PROPOSED EFFECTIVE DATE: 5-3-72	E. POSITION SENSITIVITY

5. VETERAN PREFERENCE (1—NO, 2—5 PT., 3—10 PT. DISAB., 4—10 PT. COMP., 5—10 PT. OTHER)	6. TENURE GROUP	7. SERVICE COMP. DATE	8. HANDICAP CODE
9. FEGLI (1—COVERED (REGULAR ONLY—DECLINED OPTIONAL); 2—INELIGIBLE 3—WAIVED 4—COVERED (REG. & OPT.))	**10 RETIREMENT** (1—CS 2—FICA 3—FS 4—NONE 5—OTHER)		**11. *(For CSC use)***
12. NATURE OF ACTION CODE	**13. EFFECTIVE DATE *(Mo., Day, Year)***	**14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY**	

15. FROM: POSITION TITLE AND NUMBER	16. PAY PLAN AND OCCUPATION CODE	17. (a) GRADE OR LEVEL (b) STEP OR RATE	18. SALARY
19. NAME AND LOCATION OF EMPLOYING OFFICE			

20. TO: POSITION TITLE AND NUMBER	21. PAY PLAN AND OCCUPATION CODE	22. (a) GRADE OR LEVEL (b) STEP OR RATE	23. SALARY
General Engineer #5257	GS-801	15 / 1	$24,251
24. NAME AND LOCATION OF EMPLOYING OFFICE Urban Mass Transportation Administration Office of Program Operations			

25. DUTY STATION *(City—county—State)*	26. LOCATION CODE
Washington, D. C.	

27. APPROPRIATION	28. POSITION OCCUPIED (1—COMPETITIVE SERVICE, 2—EXCEPTED SERVICE)	29. APPORTIONED POSITION FROM: (1—PROVED-1, 2—WAIVED-2) TO: STATE
528-60-5240-00		

F. REMARKS BY REQUESTING OFFICE *(Continue in item F on reverse side, if necessary)*

G. REQUESTED BY *(Signature and title)* *(Leave blank on resignations)*
Supervisor

H. FOR ADDITIONAL INFORMATION—CALL *(Name and telephone number)*
James F Jones 60000

I. REQUEST APPROVED BY:
SIGNATURE
TITLE: Associate Administrator For Administration

PART II. TO BE COMPLETED BY PERSONNEL OFFICE (Items inside heavy lines in Part I above also to be completed)

J. POSITION CLASSIFICATION ACTION: IDENTICAL ADDITIONAL ☐ NEW ☐ VICE ☐ REGRADED

K. CLEARANCES	Initials or Signature	Date
(1)		
(2) CEIL. OR POS. CONTROL		
(3) CLASSIFICATION		
(4) PLACEMENT OR EMPL.		
(5)		
(6) APPROVED BY:		

(7) REMARKS: *(Note: Use item 30 on reverse for Standard Form 50 remarks)*

QUALIFICATION STANDARD:

52-109

Figure XVII-1.--Request for Personnel Action (Recruitment)

PERSONAL QUALIFICATIONS STATEMENT

Budget Bureau
Approved 50-R0387

1a. Kind of position *(job)* you are filing for *(or title of examination)* | b. Announcement number

7. Birth date — Month | Day | Year

8. Social Security Number

c. Options for which you wish to be considered *(if listed in examination announcement)*

d. Primary place(s) you wish to be employed

9. If you are currently on a register of eligibles for appointment to a Federal position, give the name of the examination, the name of the office maintaining the register, the date on your notice of rating, and your rating.

2. Home telephone — Area Code | Number

3. Business telephone — Area Code | Number

4. Name *(Last) (First) (Middle) (Maiden, if any)* ☐ Mr. ☐ Miss ☐ Mrs.

10. Lowest pay or grade you will accept — PAY ($ per) | OR | GRADE

5. Number and street, R.D., or Post Office box number

6. City | State | ZIP Code

11. Are you willing to travel? *(Check one)* — NO | SOME | OFTEN

12. When will you be available?

13. Will you accept:	YES	NO	(C) Will you accept a job in:	YES	NO
(A) Temporary appointment of —1 month or less?			—Washington, D.C.?		
—1 to 4 months?			—any place in the United States?		
—4 to 12 months?			—outside of the United States?		
(B) Less than full time work? *(Less than 40 hours per week)*			—only in *(specify)*:		

14. EDUCATION

(A) Did you graduate from high school, or will you graduate within the next nine months?

YES	MONTH/YEAR	NO	HIGHEST GRADE COMPLETED

(B) Name and location *(city and State)* of last high school attended

(C) Name and location *(city, State, and ZIP Code if known)* of college or university. *(If you expect to graduate within 9 months, give MONTH and year you expect degree.)*	Dates attended		Years completed		Credits completed		Type of degree	Year of degree
	From	To	Day	Night	Semester hours	Quarter hours		

(D) Chief undergraduate college subjects	Credits completed		(E) Chief graduate college subjects	Credits completed	
	Semester hours	Quarter hours		Semester hours	Quarter hours

(F) Major field of study at highest level of college work

(G) Other schools or training *(for example, trade, vocational, armed forces, or business)*. Give for each the name and location *(city, State, and ZIP Code if known)* of school, dates attended, subjects studied, certificates, and any other pertinent data.

15. HONORS, AWARDS, AND FELLOWSHIPS RECEIVED

16. FOREIGN LANGUAGES

Enter foreign languages and indicate your knowledge of each by placing "X" in proper columns	Reading			Speaking			Understanding			Writing		
	Excl	Good	Fair	Excl	Good	Fair	Excl	Good	Fair	Excl	Good	Fair

17. Special qualifications and skills *(licenses; skills with machines, patents or inventions; publications—do not submit copies unless requested; public speaking; memberships in professional or scientific societies; typing or shorthand speed; etc.)*

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

Standard Form 171 (Formerly SF 57)
July 1968 U.S. Civil Service Commission
171-101

Figure XVII-2.--Personal Qualifications Statement (showing first page of 4-page form)

DEPARTMENT OF TRANSPORTATION

PERSONNEL SECURITY ACTION REQUEST

PART I - REQUESTING OFFICE
(Sensitive - Orig. & 2 copies, Nonsensitive - Orig. & 1 copy)

CANDIDATE'S NAME (Last, first, MI)		DATE OF BIRTH (Month, day, year)
Smith, Janet S.		12-24-45
POSITION TITLE AND GRADE	EOD DATE	PLACE OF BIRTH (City, State, country)
Urban Planner, GS-12		Orange, Maryland
STATUS (Check one) ☒ APPLICANT ☐ EMPLOYEE	EMPLOYING OFFICE: Office of Program Operations	DUTY LOCATION: Washington, D.C.

POSITION SENSITIVITY

CRITICAL SENSITIVE *(Check appropriate box below for justification)*

	ACCESS TO TOP SECRET INFORMATION
	POLICY-MAKING OR POLICY-DETERMINING ACTIONS AFFECTING OVERALL OPERATIONS OF DOT OR MAJOR ELEMENTS
	INVESTIGATIVE OR PERSONNEL SECURITY DUTIES
	DEVELOP OR APPROVE PLANS, PARTICULARS, OPERATIONS OR ITEMS RELATED TO WAR
	FIDUCIARY, PUBLIC CONTACT OR OTHER DUTIES DEMANDING HIGHEST DEGREE OF PUBLIC TRUST
	OTHER *(Explain)*

☐ **NONCRITICAL SENSITIVE** *(Access to Secret or Confidential information)*

X **NONSENSITIVE** *(Duties do not involve sensitive factors)*

ACCESS CLEARANCE REQUIRED

☐ TOP SECRET ☐ CONFIDENTIAL
☐ SECRET ☒ NONE
☐ OTHER *(Explain)*

DATE OF REQUEST	REQUESTING OFFICE	SIGNATURE OF REQUESTING OFFICIAL
Jan 21, 1972	Office of Administration	

PART II - PERSONNEL OFFICE
(Use to transmit investigative papers or information to Security Office)

E.O. 10450 INVESTIGATION PREVIOUSLY COMPLETED		PAPERS SUBMITTED FOR NEW INVESTIGATION	
	NO EVIDENCE OF SUCH INVESTIGATION		NONE. INDICATED INVESTIGATION ADEQUATE.
	CLEARLY FAVORABLE NACI		NO BREAK IN SERVICE OF OVER ONE YEAR.
	ADVERSE OR UNEVALUATED NACI		ANY ADVERSE INFORMATION FULLY RESOLVED.
	FULL FIELD OR OTHER BACKGROUND		PAPERS FOR FULL FIELD INVESTIGATION ATTACHED
COMPLETED BY *(Full field or other background)*	DATE		PAPERS FOR NONCRITICAL-SENSITIVE NACI ATTACHED
			PAPERS FOR NONSENSITIVE NACI SENT TO CSC ON: *(Date)*

OTHER ATTACHMENTS *(List)*

DATE	PERSONNEL OFFICE	SIGNATURE OF PERSONNEL OFFICIAL

PART III - SECURITY OFFICE

	IT HAS BEEN DETERMINED THAT THE NAMED INDIVIDUAL HAS BEEN INVESTIGATED ACCORDING TO THE REQUIREMENTS OF E.O. 10450 AND THAT HIS EMPLOYMENT IS CLEARLY CONSISTENT WITH THE INTEREST OF THE NATIONAL SECURITY.
	A SECURITY CLEARANCE IS GRANTED PURSUANT TO E.O. 10501 FOR ACCESS TO DEFENSE INFORMATION CLASSIFIED UP TO AND INCLUDING
	IT HAS BEEN DETERMINED THAT THE NAMED INDIVIDUAL HAS BEEN SATISFACTORILY INVESTIGATED FOR A NONSENSITIVE POSITION UNDER PROVISIONS OF SECTION 3(a) OF E.O. 10450.

	SF 57 IS ATTACHED		SF 60 IS ATTACHED		SF 86 IS ATTACHED

THIS DETERMINATION IS BASED ON A _____ INVESTIGATION
CONDUCTED BY _____ AND DATED ON _____

The attached security acknowledgement statement must be completed and signed by the employee and returned to the Security Office.

DATE	SECURITY OFFICE	SIGNATURE OF SECURITY OFFICER

Form DOT F-1600.8 (3-67)

Figure XVII-3.--Personnel Security Action Request

STANDARD FORM 85
REVISED FEBRUARY 1966
U.S. CIVIL SERVICE COMMISSION
F.P.M. CHAPTER 736

DATA FOR NONSENSITIVE OR NONCRITICAL-SENSITIVE POSITION

IMPORTANT

Particular care must be used in completing the items numbered 1 through 9. READ THE INSTRUCTIONS ON THE BACK OF THIS FORM BEFORE ANSWERING ANY OF THESE ITEMS.

1. A. FULL NAME (LAST, FIRST, MIDDLE)

B. OTHER NAMES USED

2. ARMED SERVICES SERIAL NO., AND DATES AND BRANCH OF SERVICE

3. SOCIAL SECURITY NO.

4. DATE AND PLACE (CITY, STATE) OF BIRTH

5. POSITION

6. AGENCY NAME AND ADDRESS

7. DATES & PLACES OF RESIDENCE

From (Mo./Yr.) To (Mo./Yr.)	*No. and Street Address*	*City and State*	*ZIP Code*

8. DATE OF THIS REQUEST

9. (CHECK ONE)
☐ NONSENSITIVE
☐ NONCRITICAL-SENSITIVE

10. (CHECK ONE)
☐ SINGLE
☐ MARRIED
☐ WIDOW(ER)
☐ DIVORCED

11. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME, GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (GIVE SAME INFORMATION REGARDING ALL PREVIOUS MARRIAGES AND DIVORCES.)

12. IDENTIFYING NUMBERS (OTHER THAN SOCIAL SECURITY OR ARMED SERVICES SERIAL, SUCH AS PASSPORT NO., ALIEN REGISTRATION NO., SEAMAN'S CERTIFICATE OF IDENTIFICATION, ETC. GIVE ALL, SPECIFYING WHICH.)

13. ORGANIZATIONS WITH WHICH AFFILIATED (PAST AND PRESENT) OTHER THAN RELIGIOUS OR POLITICAL ORGANIZATIONS OR THOSE WHICH SHOW RELIGIOUS OR POLITICAL AFFILIATIONS (IF "NONE," SO STATE).

14. DATES, NAMES AND ADDRESSES OF EMPLOYERS (BEGIN WITH PRESENT AND GO BACK TO JANUARY 1, 1937. CONTINUE UNDER ITEM 21 ON OTHER SIDE IF NECESSARY)

From (Mo./Yr.) To (Mo./Yr.)	*Employer*	*No., Street, City, State*	*ZIP Code*

CERTIFICATION
FALSE STATEMENT ON THIS FORM IS PUNISHABLE BY LAW.

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ARE MADE IN GOOD FAITH.

DATE _____ SIGNATURE (SIGN ORIGINAL AND FIRST CARBON COPY) _____

15. DATE OF APPOINTMENT

16. PLACE OF DUTY (IF DIFFERENT FROM ADDRESS IN ITEM 6)

17. TYPE OF APPOINTMENT
☐ EXCEPTED ☐ COMPETITIVE
INCLUDES INDEFINITE AND TEMPORARY TYPES OF COMPETITIVE APPOINTMENT.

18. CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY

19. THIS SPACE FOR FBI USE (SEE ALSO ITEM 22)

20. NAME AND FULL MAILING ADDRESS OF AGENCY OFFICIAL TO WHOM RESULTS OF INVESTIGATION SHOULD BE SENT. INCLUDE ZIP CODE.

85-107

Figure XVII-4.--Data for Nonsensitive or Noncritical-Sensitive Position

BOB approval No. 50-R208

Standard Form 86
AUGUST 1964
U.S. CIVIL SERVICE COMMISSION
(F.P.M. CHAPTER 736)
- 86-107

SECURITY INVESTIGATION DATA FOR SENSITIVE POSITION

CASE SERIAL NO. *(CSC use only)*

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME *(Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)"*	(LAST NAME)	(FIRST NAME)	(MIDDLE NAME)	2. DATE OF BIRTH
	OTHER NAMES USED. *(Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.)*			3. PLACE OF BIRTH
				4. ☐ MALE ☐ FEMALE
				5. HEIGHT / WEIGHT / COLOR EYES / COLOR HAIR

6. ☐ SINGLE ☐ MARRIED ☐ WIDOW(ER) ☐ DIVORCED	7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE *(Give same information regarding all previous marriages and divorces.)*

8. DATES AND PLACES OF RESIDENCE. *(If actual places of residence differ from the mailing addresses, furnish and identify both and go back to January 1, 1937. Continue under item 28 on other side if necessary.)* *Begin with present*

FROM	TO	NUMBER AND STREET	CITY	STATE

9. ☐ U.S. CITIZEN	☐ BY BIRTH ☐ NATURALIZED	ALIEN REGISTRATION NO.	DATE, PLACE, AND COURT
	CERT. NO.	PETITION NO.	
	☐ DERIVED-PARENTS CERT. NO(S).		
☐ ALIEN	REGISTRATION NO.	NATIVE COUNTRY	DATE AND PORT OF ENTRY

10. EDUCATION. *(All schools above elementary.)*

NAME OF SCHOOL	ADDRESS	FROM *(Year)*	TO *(Year)*	DEGREES

11. THIS SPACE FOR FBI USE. *(See also item 29.)*	12. SOCIAL SECURITY NUMBER			
	13. MILITARY SERVICE *(Past or present)*			
	SERIAL NO. *(If none, give grade or rating at separation)*	BRANCH OF SERVICE *(Army, Navy, Air Force, etc.)*	FROM *(Yr.)*	TO *(Yr.)*

Figure XVII-5.--Security Investigation Data for Sensitive Position (showing first page of 4-page form)

DEPARTMENT OF TRANSPORTATION

PROMOTIONAL AND CAREER OPPORTUNITIES

ORGANIZATION: Urban Mass Transportation Administration

ANNOUNCEMENT NO: UMTA-8

POSITION: Program Assistant, GS-301-5

OPENING DATE: 3/18/71

LOCATION: Office of Program Operations, Division of Project Management

CLOSING DATE: 3/29/71

AREA OF CONSIDERATION: UMTA-wide

DUTIES:

The incumbent assists the Division Director in monitoring the progress of projects in the execution and administration of Capital grant contracts. This includes reviewing periodic progress and financial reports on Capital grant construction and equipment projects to determine if project is proceeding on schedule and within the project budget, preparing correspondence in conjunction with such projects, reviewing third-party contract documents for compliance with UMTA requirements and reviewing requisitions for grant payments.

QUALIFICATIONS:

Candidates must have one year of progressively responsible general office clerical experience, and two years of specialized experience, which is progressively responsible experience in the field in which the duties of the position are to be performed. Six months of this experience must have been at a level of difficulty comparable to the next lower grade or one year at a level comparable to the second lower grade in the Federal service.

The substitution of education for experience, consult the CSC Handbook X118 in Room 9407A, Personnel Operations Division.

This position has promotion potential.

HOW TO APPLY:

Applicants serviced by the Office of the Secretary, Personnel Operations Division, submit Form DOT F 3300.5, "Position Vacancy Application"; completed SF-171, "Personal Qualifications Statement"; and Form DOT F 3300.3, "Performance Evaluation." Other applicants submit a completed SF-171 and Form DOT F 3300.3 or comparable form to: Chief, Personnel Operations Division, TAD-18, Room 9401, Department of Transportation, 400 Seventh Street, S. W., Washington, D.C. 20591.

CANDIDATES WHO FAIL TO SUBMIT THE REQUIRED FORMS WILL NOT BE CONSIDERED. NONE OF THESE FORMS WILL BE SUBSEQUENTLY LOANED OR RETURNED TO THE APPLICANTS.

CANDIDATES WILL BE EVALUATED ON BASIS OF EXPERIENCE AND EDUCATION, PERFORMANCE APPRAISAL, TRAINING AND AWARDS.

ALL QUALIFIED CANDIDATES WILL BE CONSIDERED REGARDLESS OF RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN

FORM DOT F 3300.6 (12-69) SUPERSEDES FORM OST F 3300.5

U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 372-816

Figure XVII-6.--Promotional and Career Opportunities Form

Standard Form 52—Rev. July 1968
U.S. Civil Service Commission
FPM Ch. 295

REQUEST FOR PERSONNEL ACTION

PART I. REQUESTING OFFICE: Unless otherwise instructed, fill in all items in this part *except those inside the heavy lines.* If applicable, obtain resignation and separation data on reverse side.

1. NAME (CAPS) LAST—FIRST—MIDDLE — MR—MISS—MRS.	2. *(For agency use)*	3. BIRTH DATE *(Mo., Day, Year)*	4. SOCIAL SECURITY NO.
Jones, Doris H. Mrs.		12-29-49	522-78-5246

A. KIND OF ACTION REQUESTED: (1) PERSONNEL *(Specify appointment, reassignment, resignation, etc.)*	B. REQUEST NUMBER	C. DATE OF REQUEST
Promotion		
(2) POSITION *(Specify establish, review, abolish, etc.)*	D. PROPOSED EFFECTIVE DATE: ASAP	E. POSITION SENSITIVITY

5. VETERAN PREFERENCE (1—NO, 2—5 PT., 3—10 PT. DISAB., 4—10 PT. COMP., 5—10 PT. OTHER)	6. TENURE GROUP	7. SERVICE COMP. DATE	8. HANDICAP CODE

9. FEGLI (1—COVERED (REGULAR ONLY—DECLINED OPTIONAL), 2—INELIGIBLE 3—WAIVED 4—COVERED (REG. & OPT.))	10. RETIREMENT (1—CS, 2—FICA, 3—FS, 4—NONE, 5—OTHER)	11. *(For CSC use)*

12. NATURE OF ACTION — CODE	13. EFFECTIVE DATE *(Mo., Day, Year)*	14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY

15. FROM: POSITION TITLE AND NUMBER	16. PAY PLAN AND OCCUPATION CODE	17. (a) GRADE OR LEVEL	(b) STEP OR RATE	18. SALARY
# 3265	GS-318	6	5	# 8754

19. NAME AND LOCATION OF EMPLOYING OFFICE

20. TO: POSITION TITLE AND NUMBER	21. PAY PLAN AND OCCUPATION CODE	22. (a) GRADE OR LEVEL	(b) STEP OR RATE	23. SALARY
Secretary (Steno)	GS-318	7	4	# 9440

24. NAME AND LOCATION OF EMPLOYING OFFICE
UMTA
Office of Administration

25. DUTY STATION *(City—county—State)*	26. LOCATION CODE
Washington, D.C.	

27. APPROPRIATION	28. POSITION OCCUPIED (1—COMPETITIVE SERVICE, 2—EXCEPTED SERVICE)	29. APPORTIONED POSITION FROM: (1—PROVED-1, 2—WAIVED-2) TO: STATE
528-60-5240-00		

F. REMARKS BY REQUESTING OFFICE *(Continue in item F on reverse side, if necessary)*

G. REQUESTED BY *(Signature and title)* *(Leave blank on resignations)*	I. REQUEST APPROVED BY:
Supervisor	SIGNATURE:
H. FOR ADDITIONAL INFORMATION—CALL *(Name and telephone number)*	TITLE: Assoc. Adm. for Admin.
John Smith 60000	

PART II. TO BE COMPLETED BY PERSONNEL OFFICE (Items inside heavy lines in Part I above also to be completed)

J. POSITION CLASSIFICATION ACTION
IDENTICAL ADDITIONAL ☐ NEW ☐ VICE ☐ REGRADED ☐

K. CLEARANCES	Initials or Signature	Date
(1)		
(2) CEIL. OR POS CONTROL		
(3) CLASSIFICATION		
(4) PLACEMENT OR EMPL.		
(5)		
(6) APPROVED BY:		

(7) REMARKS: *(Note: Use item 30 on reverse for Standard Form 50 remarks)*

QUALIFICATION STANDARD:

52-109

Figure XVII-7.--Request for Personnel Action (Promotion)

PERFORMANCE EVALUATION RECORD (EMPLOYEE APPRAISAL RECORD)

PART I—EMPLOYEE IDENTIFICATION

1. LAST NAME—FIRST NAME—MIDDLE INITIAL	2. SOCIAL SECURITY NO.	
3. FUNCTIONAL TITLE	4. SERIES AND GRADE	
5. ORGANIZATIONAL UNIT AND LOCATION	6. APPRAISAL PERIOD	
	A. FROM	B. TO

PART II—PERFORMANCE

Evaluation in this Part compares the employee's actual performance of major job assignments with performance standards which show the results required for satisfactory performance of those assignments. The evaluation is used as a basis for the certifications in Part III. If written performance standards exist, list the major job assignments and evaluate performance of each assignment against the standard. If no written standards exist, list *"Quality"*, *"Quantity"* and *"Timeliness"* and evaluate the incumbent accordingly. **ALL SUPERVISORS MUST BE EVALUATED ON THEIR PERFORMANCE IN ATTAINING "EEO GOALS AND OBJECTIVES" AS DEFINED IN THEIR INDIVIDUAL EEO ACTION PLAN.**

MAJOR JOB ASSIGNMENTS	Needs to improve to meet requirements	Meets requirements	Exceeds requirements	Far exceeds requirements
EXAMPLE: (A supervisor would be rated, as a minimum, on the following if there were no written performance standards for the job.)				
QUALITY			X	
QUANTITY		X		
TIMELINESS		X		
(Factors refer to the overall work accomplished by the supervisor's unit. Individual rating factors such as "Developing Subordinates" might be added.)				
EEO GOALS AND OBJECTIVES		X		
(The "requirements" are those defined in supervisors' EEO action plans and need not be listed here.)				

PART III—CERTIFICATIONS

SECTION A—ANNUAL PERFORMANCE RATING CERTIFICATION

A performance rating of outstanding or unsatisfactory becomes official when a written justification of it has been approved by the appropriate approving official.

I CERTIFY THAT THIS EMPLOYEE'S PERFORMANCE HAS BEEN

☐ SATISFACTORY (*Performance met or exceeded minimum requirements*)

☐ UNSATISFACTORY (*Performance clearly failed to meet minimum requirements*)

☐ OUTSTANDING (*All aspects of performance clearly and specifically exceeded requirements to the point where the employee deserves special commendation*)

☐ YOUR RATING IS BEING POSTPONED AT THIS TIME BECAUSE _____

_____

YOU WILL BE NOTIFIED OF YOUR ANNUAL PERFORMANCE RATING BY _____

NOTE TO EMPLOYEE—*If you feel that your rating does not properly reflect the level of your performance, you may: (1) Within 15 days of notification of your rating request a review within the Department; or (2) Within 30 days of notification of your rating make a formal appeal to the Performance Rating Board of Review. Consult your supervisor or personnel office for rating review and appeal procedures.*

SECTION B—ACCEPTABLE LEVEL OF COMPETENCE CERTIFICATION

Complete only when within-grade salary increase is currently due.

IN ACCORDANCE WITH THE PROVISIONS OF CIVIL SERVICE REGULATION 531.407 AND DEPARTMENT POLICY, I HAVE DETERMINED AND HEREBY CERTIFY THAT THIS EMPLOYEE

☐ IS WORKING AT AN ACCEPTABLE LEVEL OF COMPETENCE

☐ IS NOT WORKING AT AN ACCEPTABLE LEVEL OF COMPETENCE

NOTE TO EMPLOYEE—*If your supervisor has determined that your work is not of an acceptable level of competence, you may request reconsideration within the Department and make a formal appeal to the Civil Service Commission. Consult your supervisor or your personnel office promptly for reconsideration and appeal procedures.*

Form DOT F 3430.1 (12-71) Formerly Form DOT F 3300.3, Supersedes FAA FORM 3430-1

Figure XVII-8.--Performance Evaluation Record
(showing first page of four-page form)

Chapter XVIII
Payroll

		Page
1.	General	XVIII-1
2.	Time and Attendance Records	XVIII-1
3.	Overtime Work Provisions	XVIII-2

CHAPTER XVIII

List of Figures

Figure No.	Title
XVIII-1	Time and Attendance Report
XVIII-2	Application for Leave
XVIII-3	Overtime or Holiday Work

CHAPTER XVIII

PAYROLL

1. GENERAL

The UMTA payroll is prepared and all associated financial records are maintained by the Federal Highway Administration, Office of Fiscal Services, Finance Division, Accounting Reports and Services Branch, FS-23. The UMTA Office of Administration (UAD-1) acts in a liaison capacity with FS-23, and all payroll actions shall be coordinated through the UMTA Personnel Staff Coordinator (UAD-42) for ultimate submission to FS-23 for final action. The procedures for a payroll system are specified in DOT Order 2700.8, "Accounting Principles and Standards," which implement the Pay Administration chapter of the "Federal Personnel Manual."

2. TIME AND ATTENDANCE RECORDS

Each UMTA office shall designate a Time and Attendance (T&A) clerk and an alternate. The designating memorandum shall be given to the selected employees, and two copies forwarded to the Office of Administration (UAD-42). Time and attendance records shall be maintained only by the T&A clerks and will be processed in the following manner:

* Time and Attendance Report Cards (Form FHWA-320A, Figure XVIII-1) are maintained by the designated clerks on a day-by-day basis in accordance with specific instructions as provided by FS-23. Entries to the cards should be made during the last half hour of each working day and must be based on daily knowledge of the status of those employees for whom the T&A clerk is responsible.

* Normally, all leave is accounted for by proper notation on the T&A Card, initialled by the employee. Annual leave taken in excess of three days must be approved in advance by the employee's supervisor. An SF-71 Application for Leave Form (Figure XVIII-2) shall be prepared by the employee and submitted to the supervisor for his approval. Whenever possible, the employee's supervisor should be notified of all annual leave, before such leave is taken. Sick leave in excess of three days also requires the submission.

of an SF-71. When returning from sick leave in excess of three days, the employee must submit an SF-71 which has been completed and signed by the attending physician. The completed SF-71 shall be attached to the T&A Card when turned in to UAD-1 at the close of the pay period. Questions regarding timekeeping procedures or matters affecting payroll or leave computations should be directed to the Office of Administration, Personnel Staff Coordinator (UAD-42).

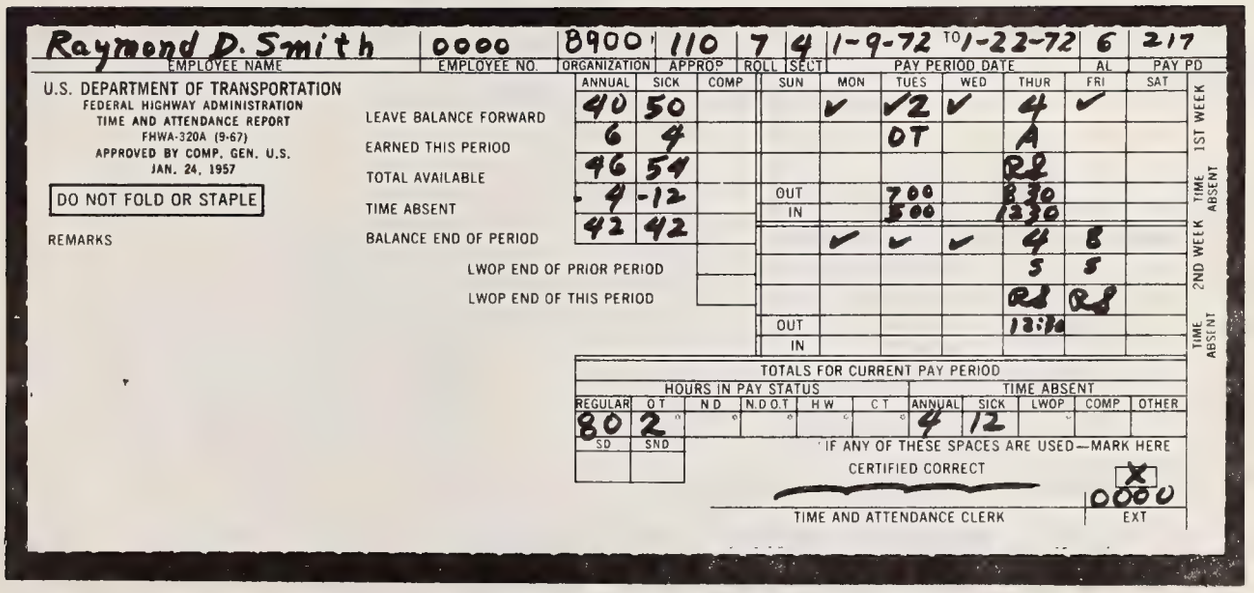
* Each UMTA office is required to forward its completed T&A Cards, signed by the T&A clerk to UAD-1 by the close of the bi-weekly pay period.

3. OVERTIME WORK PROVISIONS

In the event work during holidays or overtime is required, it must be approved in advance by the office head, and funds availability must be verified by the Office of Administration (UAD-1 or UAD-20). Both actions are accomplished by completing DOT Form F 3500.1, Overtime or Holiday Work (Figure XVIII-3). After approval, this form shall accompany the employees' time and attendance card when turned in at the end of the pay period in which the overtime was worked.

In working overtime, the employee may request compensatory time off in lieu of pay at overtime rates. If this request is approved by the supervisor, then the employee will sign the DOT F 3500.1 form where specified, and schedule time off with concurrence by the supervisor. Compensatory time off must be taken within a reasonable period after working the overtime.

Overtime pay for GS-10 grades and below will be computed at overtime rates based on employees' salary, and overtime pay for GS-11 grades and above will be based on the first step of the GS-10 classification.



Raymond D. Smith | 0000 | 8900 | 110 | 7 | 4 | 1-9-72 TO 1-22-72 | 6 | 217

EMPLOYEE NAME | EMPLOYEE NO. | ORGANIZATION | APPROP | ROLL | SECT | PAY PERIOD DATE | AL | PAY PD

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
TIME AND ATTENDANCE REPORT
FHWA-320A (9-67)
APPROVED BY COMP. GEN. U.S.
JAN. 24, 1957

DO NOT FOLD OR STAPLE

REMARKS

	ANNUAL	SICK	COMP
LEAVE BALANCE FORWARD	40	50	
EARNED THIS PERIOD	6	4	
TOTAL AVAILABLE	46	54	
TIME ABSENT	-4	-12	
BALANCE END OF PERIOD	42	42	
LWOP END OF PRIOR PERIOD			
LWOP END OF THIS PERIOD			

1ST WEEK — TIME ABSENT

	SUN	MON	TUES	WED	THUR	FRI	SAT
		✓	✓2	✓	4	✓	
			OT		A		
					RD		
OUT			700		830		
IN			500		1330		

2ND WEEK — TIME ABSENT

		✓	✓	✓	4	B	
					5	5	
					RD	RD	
OUT					1330		
IN							

TOTALS FOR CURRENT PAY PERIOD

HOURS IN PAY STATUS							TIME ABSENT				
REGULAR	O T	N D	N.D.O.T	H W	C T		ANNUAL	SICK	LWOP	COMP	OTHER
80	2						4	12			
SD	SND										

IF ANY OF THESE SPACES ARE USED—MARK HERE

CERTIFIED CORRECT

X

TIME AND ATTENDANCE CLERK | 0000 EXT

Figure XVIII-1.--Time and Attendance Report

- FRONT SIDE -

NAME (*Print or type—Last, First, Middle Initial*): Doe, John E

IDENTIFICATION NO.: 00-000

ORGANIZATIONAL UNIT: U.P.O. - 42

TYPE OF LEAVE: ☐ ANNUAL—"I understand that any annual leave authorized in excess of the amount available to me during the leave year will be charged to LWOP." ☒ SICK—Complete other side of this form. ☐ WITHOUT PAY ☐ COMPENSATORY ☐ OTHER (*Specify*)

FROM (*Mo., Day, Hr.*): Jan. 25 8:30 a.m.

TO (*Mo., Day, Hr.*): Jan. 28 - 5:00 p.m.

NO. OF HOURS: 32

REMARKS

SIGNATURE OF EMPLOYEE

DATE: Jan. 31, 1972

INSTRUCTIONS: Complete above part of form. If applying for sick leave, check appropriate box on back (top) of form. If you were under care of a doctor, he should complete "CERTIFICATE OF PHYSICIAN OR PRACTITIONER" also on back

OFFICIAL ACTION ON APPLICATION

☒ APPROVED ☐ DISAPPROVED (*If disapproved, give reason*)

SIGNATURE AND DATE: 1/31/72

STANDARD FORM 71
Revised November 1965
71-108

APPLICATION FOR LEAVE

U.S. CIVIL SERVICE COMMISSION
FPM SUPPL. 990-2

EMPLOYEE (*If applying for sick leave*)

DURING THIS ABSENCE I WAS: INCAPACITATED FOR DUTY BY: ☒ SICKNESS ☐ ON-THE-JOB INJURY ☐ OFF-THE-JOB INJURY ☐ PREGNANCY AND CONFINEMENT ☐ UNDERGOING MEDICAL, DENTAL, OR OPTICAL EXAMINATION OR TREATMENT

☐ REQUIRED TO CARE FOR A MEMBER OF MY FAMILY WITH A CONTAGIOUS DISEASE (*Give name and relationship of member of family, and name of disease*)

☐ REQUIRED TO BE ABSENT BECAUSE OF EXPOSURE TO CONTAGIOUS DISEASE (*Give name of disease and circumstances of exposure*)

CERTIFICATE OF PHYSICIAN OR PRACTITIONER

NAME OF EMPLOYEE: DOE, John E.

POSITION OCCUPIED: Transportation Repr.

PERIOD UNDER PROFESSIONAL CARE — FROM (*Mo., Day, Year*): Jan 25, 1972 — TO (*Mo., Day, Year*): Jan 28, 1972

REMARKS: Employee became ill with a cold and fever, which later developed into virus.

THE EMPLOYEE NAMED WAS UNDER MY PROFESSIONAL CARE DURING THE PERIOD STATED ABOVE. From the medical standpoint, his condition during this period was such that I considered it inadvisable for him to report to work.

SIGNATURE _____ M.D. DATE Jan. 25, 1972

- REVERSE SIDE -

U.S. GOVERNMENT PRINTING OFFICE: 1970-377-585

Figure XVIII-2.--Application for Leave

DEPARTMENT OF TRANSPORTATION

OVERTIME AND/OR HOLIDAY WORK

Pay period(s): From Jan. 9, 1972 To Jan. 22, 1972

Office: Dept. of Transportation

Division: Urban Mass Transportation Admin.

Branch: Office of Administration

Section:

Appropriation chargeable:

Instructions--Forward the original of this form to the appropriate payroll office for the purpose of supporting payroll vouchers. One copy should be filed in the office responsible for certification of time and attendance reports.

Request for approval--Authority is requested for the performance of: ☒ overtime and/or ☐ holiday work, as indicated.

Names or number of employees	Grade of position(s) (Show "GS", "WS", or other identification)	Paid overtime and/or holiday duty		Compensatory overtime	Signature of employee if he elects compensatory time off (or indicate "See attached requests from employees")
		Estimated number of hours	Estimated cost	Estimated number of hours	
Raymond D. Smith	GS-10	2	19		

Justification: Overtime required to complete urgent project task.

Requested by (Signature)		APPROVAL	Availability of funds	Date
				1-12-72
Title: Associate Administrator	Date: 1-11-72		Authorizing official: UAD-1	Date: 1-12-72

Form DOT F 3500.1 (4-67)

GPO 928-738

Figure XVIII-3.--Overtime or Holiday Work

Chapter XIX
Training

		Page
1.	General	XIX-1
2.	Annual Training Plan	XIX-1
3.	Requests for Training	XIX-1

CHAPTER XIX

List of Figures

Figure No.	Title
XIX-1	Request for Approval of Training
XIX-2	Nomination for Interagency Training

CHAPTER XIX

TRAINING

1. GENERAL

As with other personnel matters, UMTA training is processed by the OST Office of Personnel and Training. The Personnel Operations Division (TAD-18) is responsible for processing UMTA training **requests,** but each requesting office shall seek guidance from and process training documents through the UMTA Office of Administration, Personnel Office, UAD-42. All UMTA training must be processed in accordance with the procedures prescribed in the "Federal Personnel Manual."

2. ANNUAL TRAINING PLAN

UMTA office heads shall annually assess the training needs of personnel assigned with the objective of increasing overall office effectiveness. An annual training plan shall then be developed with the respective needs arranged in priority order and the total amount of funds determined. Development of the annual training plan should be phased so that it coincides with the input for the office's annual budget request.

The UMTA Office of Administration shall provide each UMTA office with its annual allocation of training funds. Office heads are required to establish financial controls to insure that training expenses for the fiscal year do not exceed the allocation. Special training requirements which would cause an office to exceed its funds allocation, however, should be discussed in advance with the Associate Administrator for Administration (UAD-1), and possible reprogramming action could result, depending on the overall training needs of UMTA.

3. REQUESTS FOR TRAINING

In processing a request for training, the following procedures shall apply:

* The applicant should discuss the proposed training with his supervisor and obtain approval.

* In reviewing requests for training the office head shall verify the specific need for the training

and insure that it was included in the annual training plan.

* If the office head approves the training request, the following forms shall be prepared and submitted to UAD-42 for review, coordination, and UAD-1 approval:

  -- OST F 3000.1, Request for Approval of Training, must be prepared for all training requests. An example of this form is shown in Figure XIX-1.

  -- Civil Service Commission Optional Form 37, Nomination for Interagency Training, must be prepared whenever the requested training is to be conducted by the Civil Service Commission. See Figure XIX-2.

* If approved by UAD-1, the training request package shall be forwarded by UAD-42 to TAD-18 for final action.

The types of training expenses reimbursed by the Government and the extent of financial coverage are covered in detail in the "Federal Personnel Manual." Employees attending approved and federally funded training sessions must obtain a certificate or other evidence of completion of the courses attended.

REQUEST FOR APPROVAL OF TRAINING

INSTRUCTIONS: All items in Part I must be completed by supervisor and employee before training is approved.

PART – I *(To be completed by initiating office)*

1. LAST NAME FIRST NAME M.I.	2. JOB TITLE	3. GRADE	4. EXT.	5. RTG. SYMBOL
ZILCH, Joe T.	Transportation Rep.	GS-13	6000	UPO-99

6. ACCOUNTING CODE	7. DOES EMPLOYEE HAVE ONE YEAR OR MORE OF CURRENT CONTINUOUS SERVICE IN GOVERNMENT?	YES	NO
E2 70.02.00.00 76000 3420		X	

8. NAME AND ADDRESS OF TRAINING FACILITY	9. ESTIMATED COST		10. COURSE DATES	
US Civil Service Comm. Bureau of Training 1900 E St., N.W. Washington, D.C. 20415	Tuition, Matriculation or Registration Fees	$ 125.00	BEGINS 1/2/72	ENDS 2/29/72
	Purchase of Books & Supplies	$ 10.00		
	Other *(Explain)*	$	11. TOTAL CLASS HRS. 50	12. TOTAL DUTY HRS.
	TOTAL COST	$ 135.00		

13. TITLE, COURSE NUMBER *(If any)* AND DESCRIPTION OF TRAINING *(Attach a brochure if available)*

Management Introduction to A.D.P.

14. IMMEDIATE SUPERVISOR'S RECOMMENDATION *(Show specific relationship of training to job requirements)*

This course will benefit MR. Zilch and the department in A.D.P. Systems work.

15. SUPERVISOR *(Typed name and signature)*	15a. TITLE AND ORGANIZATION	15b. DATE
	Associate Administrator U.P.O.-99	12/2/71
16. ADMINISTRATIVE APPROVAL *(Typed name and signature)*	**16a. TITLE AND ORGANIZATION**	**16b. DATE**
	Associate Administrator for Administration	12/3/71

17. I have read and understand the provisions of the Training Agreement appearing on the reverse side of this form and agree to comply with it.

EMPLOYEE'S SIGNATURE	DATE
Joe T. Zilch	12/2/71

PART – II *(To be completed by Employee Development Branch)*

1. DATE RECEIVED	"X"	2. ACTION	3. DOCUMENT NO.	4. EMPLOYEE DEVELOPMENT OFFICER'S SIGNATURE
		APPROVED		
		DISAPPROVED		

PART – III *(To be completed by the employee and signed by the supervisor after training is completed)*

1. TRAINING WAS COMPLETED:		SATISFACTORILY		UNSATISFACTORILY *(See reverse for definition)*

2. EMPLOYEE'S SIGNATURE	DATE	3. SUPERVISOR'S SIGNATURE	DATE

Form OST F 3000.1 (1-71) SUPERSEDES PREVIOUS EDITION

Figure XIX-1.--Request for Approval of Training

NOMINATION FOR INTERAGENCY TRAINING

COURSE

1. Course title: Management Introduction to A.D.P.
2. Cost: $125.00
3. Agency offering course: US Civil Service Commission
4. Dates of course: 1/2/72 — 2/29/72
5. Location of course (City, State): Washington, D.C.

NOMINEE

6. Name (First) (Initial) (Last) (Mr., Miss, Mrs.): Joe T. Zilch (MR)
7. Position title: Transportation Rep.
8. Home address (including ZIP Code): 28320 Birdseye Lane, Bowie, Md. 20715
9. Pay plan and grade: GS-13
10. Office telephone (including Area Code): (202) 426-0000
11. Enter here special information required by the course announcement:

AGENCY

12. Billing address (including ZIP Code): Department of Transportation, Accounting Operations Div., TAD-45, 400 Seventh St., S.W., Washington, D.C. 20590
13. Approving official (signature and title): Training Officer
14. Date: 12/15/71
15. Telephone (including Area Code): (202) 426 0000
16. Return address of nominating agency (including ZIP Code): Department of Transportation, Office of Personnel & Training, TAD-182, 400 Seventh St., S.W., Washington D.C. 20590

FOR USE BY AGENCY OFFERING TRAINING-DO NOT FILL IN THIS PART

ACTION

17. Nominee is ☐ Selected as nominated ☐ Selected for alternative dates (see Remarks) ☐ Not selected (see Remarks)
18. Remarks:
19. First session of class meets:

INSTRUCTIONS TO NOMINATING AGENCY

1. Observe the Nominating Criteria and Special Instructions in Course Announcement or Bulletin before completing this form.
2. All requested information, Items 1 through 16, must be furnished. Use typewriter to complete form.
3. Submit the original and the first three copies (do not remove carbons) to the agency offering the training. See Course Announcement or Bulletin for correct address. The agency submitting the nomination may retain the additional two copies.
4. A copy of this form will be returned by the agency sponsoring the training indicating the action taken on the nomination in the ACTION block.

U S CIVIL SERVICE COMMISSION

OPTIONAL FORM 37
July 1969
5037 103

Figure XIX-2.--Nomination for Interagency Training

Chapter XX

Handling of Classified Material

		Page
1.	General	XX-1
2.	Designation of Employees to Handle Classified Material	XX-1
3.	Distribution	XX-1
4.	Return of Documents to Classified Control Center	XX-3
5.	Safeguarding Classified Material	XX-3
	a. Removal of Classified Material From Government Offices	XX-3
	b. Reproduction of Classified Material	XX-3
	c. Storage of Classified Material	XX-3
	d. Transmitting Classified Material	XX-4

Chapter XX

List of Figures

Figure No.	Title
XX-1	Document Control Station Establishment Authorization Form
XX-2	Classified Material Cover Sheet
XX-3	Classified Material Receipt

CHAPTER XX

HANDLING OF CLASSIFIED MATERIAL

1. GENERAL

Procedures for the control and handling of classified material within DOT are the responsibility of the OST Classified Control Center (TAD-44.1). The Office of Administration, Defense Coordinator, has been designated as the UMTA office responsible for the receipt, storage, and distribution of UMTA classified material. This UMTA activity, however, will be closely coordinated with, and follow instructions promulgated by, TAD-44.1. Detailed information on the control and handling of classified materials is contained in DOT Order 1600.22, "Safeguarding Classified Information."

2. DESIGNATION OF EMPLOYEES TO HANDLE CLASSIFIED MATERIAL

All classified material must be handled by individuals with a level of clearance at or above the level of the classified material to be handled. The designation of UMTA employees authorized to handle classified material is accomplished through the use of Form OST F 1600.31, "Document Control Station Authorization Form," (See Figure XX-1). The Staff Coordinator--Personnel (UAD-42) originates this form in triplicate, (including names of the designated individuals), obtains UAD-1 approval, and submits it to TAD-521 for certification of clearance. After the clearance level has been entered on the form and signed by an official of the OST Personnel Security Branch (TAD-521), it will be forwarded to TAD-44.1. The form will be retained by TAD-44.1, and when UMTA classified material arrives in TAD-44.1, it will be delivered only to one of the individuals whose name appears on form OST F 1600.6. When it becomes necessary to add to, or change, the names on this form, the Personnel Staff Coordinator will accomplish this through submission of a new form through TAD-521 to TAD-44.1.

3. DISTRIBUTION

All classified material for UMTA is delivered by the DOT mailroom to TAD-44.1. TAD-44.1 enters the document on a classified document log sheet and prepares a Classified Material Cover Sheet (DOT F 1600.7), shown in Figure XX-2,

and a Classified Material Receipt (Form OST F 1600.29), shown in Figure XX-3. These serve to document the official receipt, and enable TAD-44.1 to assign a control number to the document.

The classified material with cover sheet and receipt forms attached is then forwarded by TAD-44.1 to the UMTA Defense Coordinator, who will sign and date the Classified Material Receipt form. The original copy (top sheet) of this three-page form is given to TAD-44.1 to indicate transfer of the document. The remaining two copies of the receipt form are retained with the document.

Classified material should enter UMTA offices only through the method described above. In the event an UMTA employee receives classified material by any other means, it should be taken immediately to the Defense Coordinator. The material will then be hand-carried to TAD-44.1 where it will be logged, properly controlled, and distributed as described above. It is imperative that continuous accountability be maintained in order to safeguard all classified material.

After the classified material has been received from TAD-44.1, it shall be processed by the Defense Coordinator in the manner prescribed below.

The Defense Coordinator shall maintain an inventory record of all secret material either under the control or possession of UMTA. This record shall be updated whenever new material is received from TAD-44.1 or classified material is returned to the same office.

Before providing UMTA employees access to classified material, the Defense Coordinator shall make a positive determination that the intended user possesses a level of clearance equal to (or above) the level of the desired material. Questions regarding clearance levels shall be directed to the Personnel Staff Coordinator (UAD-42), who will carry out any necessary contact with the OST Security Division (TAD-53) in the Office of Investigation and Security (TAD-50).

After clearance level has been verified, the Defense Coordinator shall provide the document to the user and shall require him to sign and date the attached receipt forms. One copy of the receipt will be retained by the Defense Coordinator and the other will remain attached to the document. If the document is to be retained overnight, it must be placed

in an approved safe which satisfies the storage requirements prescribed by DOT Order 1600.22.

4. RETURN OF DOCUMENTS TO CLASSIFIED CONTROL CENTER

After all authorized UMTA personnel have completed their review of the document, it shall be hand-carried to the Defense Coordinator. After signing the receipt form and updating the classified inventory records, the Defense Coordinator shall hand-carry the material to the OST Classified Control Center (TAD-44.1) with the two copies of the receipt form attached. TAD-44.1 will sign and date the receipt form, providing one copy to the Defense Coordinator; the other copy will remain attached to the document. The Defense Coordinator shall place the signed receipt in a designated file to indicate that the specific document has been returned to TAD-44.1, and is no longer under the control of UMTA.

5. SAFEGUARDING CLASSIFIED MATERIAL

It is imperative that a positive control of classified material be maintained at all times. Classified information will be revealed only to persons possessing an appropriate security clearance and then only on a need-to-know basis. Record logs shall be maintained by the Defense Coordinator to show the location of each classified document for which UMTA is responsible and periodic inventories will be held by TAD-44.1 to verify the location of each classified document.

a. Removal of Classified Material from Government Offices.

Normally, classified material should not be taken out of any building in which UMTA offices are located. If an urgent need occurs to remove such material from UMTA office spaces, it shall be handled as prescribed by DOT Order 1600.22, (Change 1), Section 5 of Appendix A.

b. Reproduction of Classified Material.

Classified material may not be reproduced without the approval of the originating office. UMTA personnel desiring reproduction of classified material shall direct such requests to the Defense Coordinator for action; he shall in turn submit the request to TAD-44.1 to obtain approval for reproduction from the originating office.

c. Storage of Classified Material.

All classified material must be stored only in an approved, lockable safe as prescribed in DOT Order 1600.22.

d. Transmitting Classified Material.

Classified material shall be transmitted in accordance with the provisions of DOT Order 1600.22, chapter 5.

DOCUMENT CONTROL STATION ESTABLISHMENT AUTHORIZATION

DATE	OST, NTSB OR ADMINISTRATION	REQUESTING OFFICE DIVISION AND BRANCH

Request authorization to establish a Document Control Station in the above named activity and approval of the following named individuals as the Document Control Station operator and alternates.

TO: *(Security Element)*

POSITION	NAME	ROUTING SYMBOL	CLEARANCES						
			TOP SECRET		SECRET	CONF.	OTHER		
			INTERIM	FINAL					
OPERATOR									
ALTERNATE									
ALTERNATE									
ALTERNATE									
ALTERNATE									

AUTHORIZING OFFICIAL

SIGNATURE	TYPE NAME	RTG. SYMBOL

CERTIFICATION OF SECURITY CLEARANCES

TO: SECURITY CONTROL POINT

The security clearances for the above named persons are certified as correct.

OFFICE OF INVESTIGATIONS AND SECURITY CERTIFYING OFFICIAL

SIGNATURE	DATE

APPROVAL FOR ESTABLISHMENT OF A DCS

TO: *(Requesting organizational element)*

Indicate below the degree of classified information that above office is physically equipped to safeguard.

TOP SECRET	SECRET	CONFIDENTIAL	RD	NATO

Authorization is granted to establish a Document Control Station in the above activity and the above named individuals are approved as operator and alternates.

SIGNATURE	TYPED NAME AND TITLE	DATE

REMARKS

Form DOT F 1600.31 (2-72) FORMERLY FORM OST F 1600.6 SECURITY CONTROL POINT

Figure XX-1-- Document Control Station Establishment Authorization Form

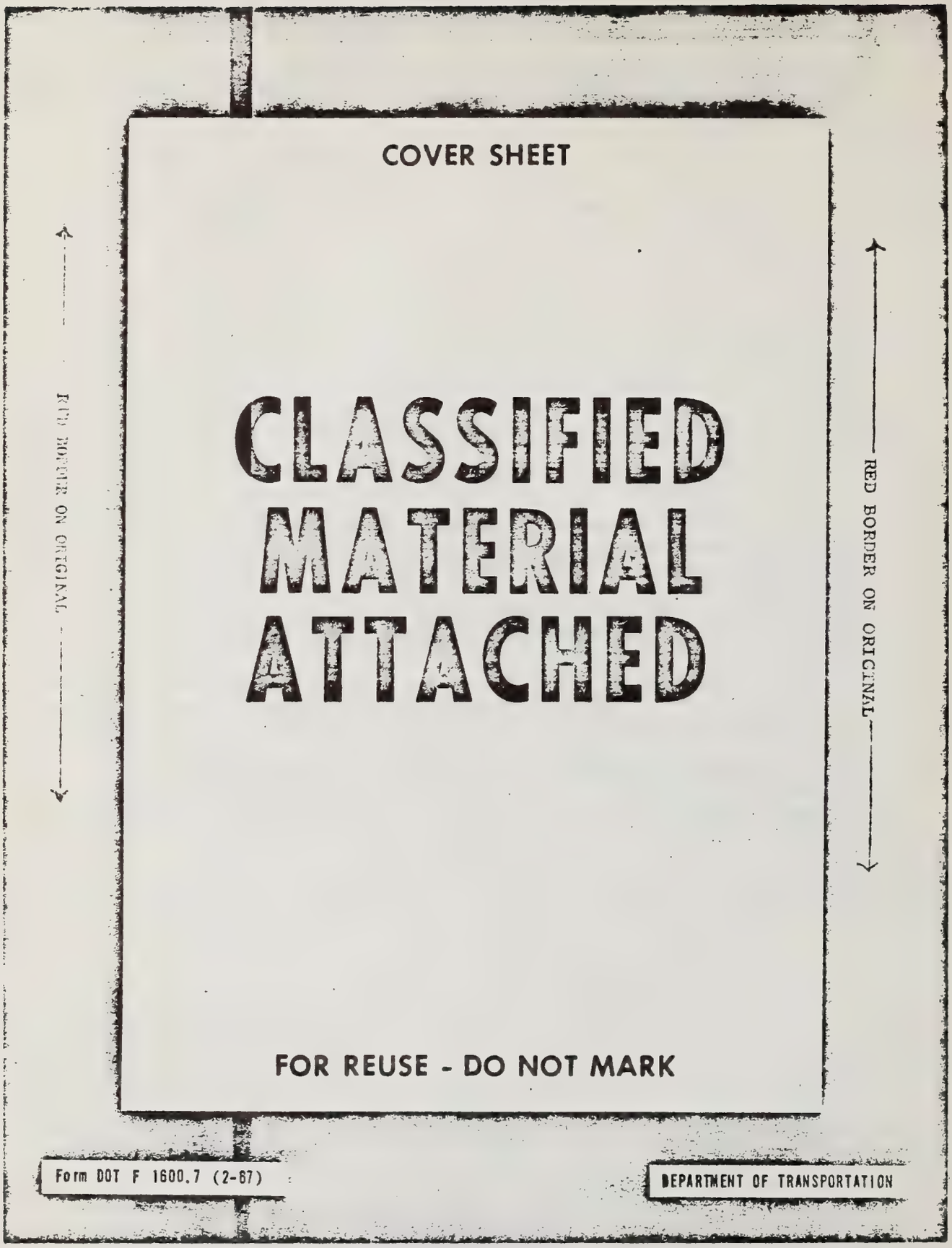


Figure XX-2--Classified Material Cover Sheet

CLASSIFIED MATERIAL RECEIPT (Internal)	DATE	CONTROL NUMBER
		CLASSIFICATION

DESCRIPTION *(Title, Copy No., Originating Activity and Type of Document, i.e., memo, report, message, draft, etc.)*

NO. OF COPIES AND DISTRIBUTION

FROM *(Sending DCS)*	TO *(Receiving DCS)*	RECEIVED BY *(Signature)*	DATE

Form DOT F 1600.29 (2-72) SUPERSEDES FORM OST F 1600.7

GPO 925-93

Figure XX-3-- Classified Material Receipt

Chapter XXI
Travel

		Page
1.	General	XXI-1
2.	Travel Planning	XXI-1
	a. Memorandum Control Record (Figure XXI-1)	XXI-2
	b. Estimated Travel Obligations	XXI-2
3.	Approval and Authorizations	XXI-2
	a. Authorizing Officials	XXI-2
	b. Special Authorizations or Approvals	XXI-2
	(1) Consultant Travel	XXI-2
	(2) Foreign Travel	XXI-2
	(3) Letters of Invitation	XXI-3
	(4) Interviews of Out-of-Town Applicants for Employment	XXI-3
	(5) Allowances for Travel and Transportation of New Appointees	XXI-3
	(6) Travel to Attend Meetings and Conferences	XXI-4
4.	Itineraries	XXI-4
5.	Travel Orders	XXI-4
	a. Form	XXI-4
	b. Numerical Identification	XXI-4
	c. Accounting Reference Data	XXI-5
	d. Annual Travel Authorization	XXI-5
	e. Cancellation of Travel Orders	XXI-5
6.	Travel Advances	XXI-5
	a. General	XXI-5
	b. Instructions for Completing DOT F 1500.2	XXI-5
	(1) Preparation of DOT F 1500.2	XXI-6
	(2) Processing of DOT F 1500.2	XXI-6
7.	Transportation Requests	XXI-7
8.	Reimbursement	XXI-8
	a. Per Diem	XXI-8
	(1) Schedule for Contiguous States	XXI-8
	(2) Lodging Costs	XXI-8
	(3) Lodging Shared by Others	XXI-8
	(4) Rates in Other Areas	XXI-8
	(5) Travel of Less than 24 Hours	XXI-9
	(6) Actual Expenses	XXI-9
	(7) Per Diem for Extended Periods	XXI-9
	b. Miscellaneous Expenses	XXI-9
	c. Use of Privately-Owned Motor Vehicles	XXI-10
	(1) Determination of Advantage	XXI-10
	(2) Reimbursement for Use of Privately-Owned Vehicle	XXI-11
	(a) Approved Use	XXI-11
	(b) Used by Personal Preference	XXI-11

Chapter XXI (Cont'd)

	d. Trading Stamps	XXI-12
9.	Travel Vouchers	XXI-12
	a. Preparation	XXI-12
	b. Administrative Review	XXI-13
10.	Travel Spanning Two Fiscal Years	XXI-13
11.	Trip Reports	XXI-13
12.	Local Travel	XXI-14
13.	Automobile Rental	XXI-14

CHAPTER XXI

List of Figures

Figure No.	Title
XXI-1	Memorandum Control Record
XXI-2	Estimated Travel Obligations
XXI-3	Travel Itinerary
XXI-4	Travel Order (One-time Trip)
XXI-5	Travel Order (Annual)
XXI-6	DOT Travel Advance Record Form
XXI-7	Transportation Request
XXI-8	Travel Voucher
XXI-9	Claim for Reimbursement

CHAPTER XXI

TRAVEL

1. GENERAL

Travel authorized by UMTA officials will be performed in accordance with travel regulations presented in the FAA "Travel Handbook," 1500.13, as supplemented and amended herein. The FAA regulations are based on Office of Management and Budget (OMB) Circular No. A-7, "Standardized Government Travel Regulations," and OMB Circular No. A-56, "Regulations Governing Payment of Travel and Transportation Expenses of Civilian Officers and Employees of the United States." UMTA travel transactions are processed by the OST Office of Administrative Operations. The Travel and Imprest Fund Section (TAD-444.2) provides assistance in obtaining airline tickets and issues cash advances. The Financial Management Division (UAD-20), provides the accounting support to record, review, and process the payment of actual travel expenses.

Travel and transportation as described in this section are applicable to changes of duty station as well as all forms of temporary duty travel, including:

* Travel in connection with training
* Travel to attend outside meetings
* Local travel
* Foreign travel
* All other business travel

The policies and procedures which follow are offered as a general guide to UMTA managers. Details of each procedure and specific background material are contained in the OMB Circulars A-7 and A-56 and the FAA "Travel Handbook."

2. TRAVEL PLANNING

All Associate Administrators, the Chief Counsel, Director of Public Affairs, and Director of Civil Rights are to request quarterly travel allowances from the Associate Administrator for Administration (UAD-1). After receipt of the approved

travel allowances (in the form of an operating budget), an effective control must be maintained over the allowances so that the responsible official is able to determine the amount of funds available for travel during any given period. In order that the necessary control may be maintained the following forms are recommended:

a. Memorandum Control Record (Figure XXI-1).

Each official receiving an operating budget which includes a travel allowance will maintain a memorandum control record. This device will show travel allowances and the amount of estimated and actual usage. Each office director shall assign an employee and an alternate to maintain this record.

b. Estimated Travel Obligations (Figure XXI-2).

No later than the third working day of each month, the Director of Financial Management (UAD-20) is to be supplied with an estimate of travel obligations for the current month and an adjustment of the prior month's estimate to reflect actual usage.

3. APPROVAL AND AUTHORIZATIONS

a. Authorizing Officials.

The Administrator, Deputy Administrator, Associate Administrators, the Chief Counsel, Director of Civil Rights, Director of Public Affairs, Special Assistant to the Administrator, or their official designees may authorize and approve official travel and transportation for themselves and their subordinates within the travel fund allowances provided for their offices.

b. Special Authorizations or Approvals.

(1) Consultant Travel.--Travel orders for all consultants will be approved by the Associate Administrator for Administration (UAD-1).

(2) Foreign Travel.--The Administrator is the authorizing official for all foreign travel performed by UMTA personnel. Requests to the Administrator for approval of overseas travel and a memorandum of justification will be prepared in triplicate by the originating office and shall be signed and concurred in by the appropriate office head or his designee. The justification will include:

* Purpose of the travel, including sufficient information to allow proper evaluation of the request

* Number of travelers

* Length of stay

In addition, appropriate space should be provided at the end of the justification memorandum for approval action, including a signature line, title, and date. The Administrator will indicate approval or disapproval on the justification and return it together with the travel request to the originating office. The accounting office is not authorized to accept foreign travel requests for obligation unless accompanied by the Administrator's approval.

(3) Letters of Invitation.--When it is determined that private persons rendering service to UMTA without compensation shall be reimbursed for official travel expenses, a letter of invitation shall be issued in addition to travel orders. The letter shall:

* Be for a specific trip and state the itinerary

* Specify the rate of per diem and other expense allowances

* Be informative as to the purpose of the travel

Letters of invitation must be signed by the Administrator. Persons traveling pursuant to a letter of invitation will be reimbursed for travel and receive per diem based on the rates set forth in section 8 of this chapter, unless the letter of invitation provides for the payment of actual expenses. If actual expenses are authorized, the traveler will be reimbursed for actual expenses up to the maximum of $40 per day.

(4) Interviews of Out-Of-Town Applicants for Employment.--Applicants may travel to the established site of an interview for employment at their own expense, or may be interviewed by another DOT employee who is on travel or is located in one of the field offices. For a detailed explanation of this procedure, see subsection 2c of chapter XVII.

(5) Allowances for Travel and Transportation of New Appointees.--When authorized by the Administrator, payments may be made for expenses of travel of appointees, transportation

of their immediate families, and transportation of their household goods and personal effects, from their places of actual residence at the time of selection or appointment to their first permanent duty stations. For specific details see OMB Circular A-56, "Regulations Governing Payment of Travel and Transportation Expenses of Civilian Officers and Employees of the United States."

(6) Travel to Attend Meetings and Conferences.--The payment of travel and related expenses incident to attendance at outside meetings and conferences is authorized. The policy of DOT with respect to employee attendance at meetings and conferences outside of the department is stated in DOT Order 1200.1, "Attendance at Meetings and Conferences." All travel of this type must be approved by the officials designated in subparagraph 3a of this section.

4. ITINERARIES

A complete itinerary for a proposed trip must be prepared, and one copy furnished to the Special Assistant to the Administrator (UOA-10) at least one week before the date of departure. Additional copies of the itinerary may be distributed by whatever means, and in numbers as decided by each UMTA office. A suggested itinerary format is illustrated in Figure XXI-3. In the event that travel is performed on short notice, UOA-10 shall be provided an itinerary as soon as possible, and all significant changes from reported itineraries should be reported to UOA-10.

5. TRAVEL ORDERS

a. Form.

Travel Orders, FAA Form 1500-4, are printed in sets of an original and three copies with the distribution annotated on the bottom of each sheet. Additional copies may be prepared as required for internal use. An example of a travel order, filled out for a one-time trip, is provided in Figure XXI-4.

b. Numerical Identification.

All travel orders within UMTA will be numbered consecutively as issued. This number will be assigned by UAD-20, which will maintain a ledger of successive travel order numbers as they are issued. The issued number shall appear in the upper right-hand block (number 2). A copy of each travel order issued within UMTA shall also be kept on file in UAD-20.

c. Accounting Reference Data.

In block 16, "Accounting Classification," enter the appropriate fund citation. Specific fund codes and instructions for their use will be provided each UMTA office at the beginning of the fiscal year by UAD-20. Note, however, that the object class will change depending on the nature of the travel.

d. Annual Travel Authorization.

Annual authorization of travel is encouraged for those UMTA employees subject to frequent official travel. An example of a Travel Order filled out for annual travel is shown in Figure XXI-5.

e. Cancellation of Travel Orders.

When travel is authorized and it is later determined that the travel will not be accomplished, the issuing office must promptly notify the **Financial** Management Division (UAD-20) by memorandum of the cancellation of the travel order. This is necessary in order that obligated funds may be released for other use and to assure that no payment of travel expenses will be made under the order. Any advance received must be immediately returned to the Office of Administration (UAD-10), preferably in the form of a check or money order.

6. TRAVEL ADVANCES

a. General.

Funds may be obtained in advance of the dates of official travel. Normally, the advance will not exceed the amount deemed necessary for the character and probable duration of the trip. When the advance is to be made by check, the request for payment must be processed in sufficient time to allow for processing and distribution of the check to the employee prior to commencement of the travel (2 weeks prior to travel date). Cash travel advances can be obtained within a reasonable period prior to departure of the employee. Travel advance requests for trips authorized by a trip travel order must be accompanied by the original copy of FAA Form 1500-4.

b. Instructions for Completing DOT F 1500.2.

Form DOT F 1500.2, Application and Account for Advance of Funds, shall be used to request a travel advance,

in accord with DOT Order 1500.5, "DOT Travel Advance Record Form." A sample form is illustrated in Figure XXI-6.

(1) Preparation of Form DOT F 1500.2--A separate form will be completed by the traveler for each application for advance of funds for travel expenses. Form DOT F 1500.2 consists of a three part snap-out set with the reverse side designed to provide a record relative to the status of each advance. Completion of the form is self-explanatory, with the possible exception of the Remarks block, which should be used primarily for unusual items, e.g., explanation of large advances, change of duty station, etc.

(2) Processing of Form DOT F 1500.2--This form has been designed to facilitate processing of the application and accounting for travel advances without the requirement for additional documentation (such as an accompanying travel voucher or separate receipt for cash). The following procedure will be followed relative to the disposition of each copy of the form:

* When the advance is to be made by check, the traveler will forward the approved "Accounting Office" copy (original) to the DOT accounting office responsible for initiating disbursement action. The "Imprest Fund Subvoucher" copy may be destroyed. The "Memorandum" copy is for the traveler, or it may be necessary to submit it with the original when required by by certain accounting offices.

* When the advance is to be made by cash, the traveler will present both the approved "Accounting Office" copy and "Imprest Fund Subvoucher" copy to the imprest fund cashier. The traveler will be required to sign for the receipt of cash on the "Imprest Fund Subvoucher" copy. The imprest fund cashier will assign a subvoucher number and will reflect such number on the "Imprest Fund Subvoucher" copy. The imprest fund cashier will daily forward the "Accounting Office" copies to the appropriate DOT accounting office and will retain the subvoucher copies for use in reimbursing the fund. The "Memorandum" copy is for the traveler unless required to be submitted with the original by certain accounting offices.

Cash advances, computed at the rate of $25 per day, up to a maximum of $100 for any one transaction, may be made by imprest fund cashiers. Under special emergency conditions, cash advanced by a cashier for any one transaction may be increased, not to exceed $250. When travel is performed on a continuing basis, a revolving type of advance may be used. The amount of the revolving advance at no time should be more than double the traveler's average monthly reimbursable travel expenses. The maximum advance is $500.

7. TRANSPORTATION REQUESTS

Standard Form 1169, "Transportation Request (TR)," is used to obtain transportation tickets from common carriers. A sample form is shown in Figure XXI-7. TAD-444.2 normally prepares these forms for UMTA employees and obtains the tickets for them. If completed by an UMTA employee, refer to instructions in section 2 of DOT "Travel Manual" (DOT Order 1500.1), or the FAA "Travel Handbook," 1500.13. Fiscal codes will be provided annually to each UMTA office by UAD-20.

Under certain conditions, employees may be issued blank TR's and may, therefore, obtain, through proper preparation, their own transportation tickets. These TR's are accountable forms and employees assigned custody of these forms should apply appropriate safeguards to insure only authorized use.

The buff (hard) copy of issued TR's must be forwarded to the General Accounting Branch, TAD-452. The buff copy of TR's issued in the field must be mailed on the date of issuance. Travelers using TR's are, therefore, to be supplied with official envelopes addressed as follows:

Accounting Operations Division, TAD-452
Office of the Secretary
Department of Transportation
400 Seventh Street, SW
Washington, D. C. 20590

Immediate mailing is required to facilitate payment of funds obligated for the transportation portion of travel expenses, and is a requirement of the OST-operated Consolidated Accounting System.

8. REIMBURSEMENT

a. Per Diem.

(1) Schedule for Contiguous States.--Except as otherwise provided herein, the per diem rates shown in the table below are applicable for all travel by UMTA personnel. The table is based on the approximate cost of lodging, plus $12 to cover the cost of meals and other allowable travel expenses:

Cost of lodging	Meals, etc.	Per diem rate
0	12.00	12.00
.01 to 1.00	12.00	13.00
1.01 to 2.00	12.00	14.00
2.01 to 3.00	12.00	15.00
3.01 to 4.00	12.00	16.00
4.01 to 5.00	12.00	17.00
5.01 to 6.00	12.00	18.00
6.01 to 7.00	12.00	19.00
7.01 to 8.00	12.00	20.00
8.01 to 9.00	12.00	21.00
9.01 to 10.00	12.00	22.00
10.01 to 11.00	12.00	23.00
11.01 to 12.00	12.00	24.00
12.01 and over	12.00	25.00

(2) Lodging Costs.--Lodging costs will not include tips, room service, calls for hotel reservations, etc., but are restricted to the actual room cost including any applicable tax. Receipts for hotel bill payments will not be required in support of travel vouchers when the voucher includes an itemization of the lodging showing name and address of the accommodations used, the dates involved, the number of nights and cost of lodging (including tax).

(3) Lodging Shared by Others.--When lodging is shared by others, only a pro rata part of the cost will be used in determining the per diem rate, except that when lodging is shared by members of the traveler's family, the single occupancy rate will be used.

(4) Rates in Other Areas.--Per diem rates for official travel when outside the 48 contiguous States are to be obtained from UAD-20.

(5) Travel of Less than 24 Hours.--UMTA employees traveling for less than 24 hours will receive per diem based on the $12 meal allowance contained in section 8a of this chapter. This per diem is to be computed on a quarter-day basis with the quarters defined as follows:

Quarter	Time	
	Start	End
1st	Midnight	5:59 a.m.
2nd	6 a.m.	11:59 a.m.
3rd	Noon	5:59 p.m.
4th	6 p.m.	11:59 p.m.

Travel starting or ending at any time within a quarter is to be counted as a full quarter of the day.

(6) Actual Expenses.--Reimbursement for actual expenses while traveling can be authorized only by the Administrator. The maximum allowable reimbursement is $40 per day within the contiguous 48 States.

(7) Per Diem for Extended Periods.--Per diem for periods in excess of 30, but not more than 60, days at one point of temporary duty shall be reduced $2 below the regular scheduled daily rate. Payment to the traveler will not exceed the reduced rate unless authorized or approved by the Associate Administrator for Administration (UAD-1) or his designee.

As a rule, employees will not receive per diem after 60 days at one point of temporary duty. A justification for per diem after 60 days shall be submitted to the Associate Administrator for Administration prior to the end of the 60-day period. The reasons must be stated in sufficient detail to show clearly the need for the rate of per diem recommended and why it is officially necessary to continue the temporary detail before approval will be granted.

b. Miscellaneous Expenses.

Reimbursement in addition to per diem will also be allowed for the following:

(1) Use of a taxicab or airport limousine, plus tip, between employee's home or place of business and transportation

terminals, or between such terminals and employee's home or place of business, or between an airport and an airport limousine terminal. When Government-owned or common carrier facilities, including airport limousine service, are available for all or part of the distance to and from terminals, such mode of transportation shall be used in lieu of taxicab if more economical.

(2) If a privately-owned automobile is used at the beginning and end of a trip by common carrier, reimbursement at the rate of 11 cents per mile will be allowed for round trip travel between the employee's home and common carrier terminal. If a privately-owned automobile is driven to the terminal and parked, mileage may be allowed for the distance traveled both ways, plus parking fee. The total cost shall not, however, exceed that which would have been incurred had a taxicab been used; a statement to this effect should be shown on the travel voucher.

(3) Reimbursement at the rate of 11 cents per mile will be allowed for round trip travel by privately-owned automobile between an employee's home and office on the day he departs from his office on an official trip requiring at least one night's lodging, and for round trip between his office and home on the day he returns to his office from the trip. The total cost shall not, however, exceed that which would have been incurred had a taxicab been used; a statement to this effect should be shown on the travel voucher.

(4) Local and long-distance phone calls on Government business.

(5) Charges for checking baggage.

(6) Fees or tips to porters at transportation terminals for handling Government property carried by the traveler.

(7) Shipment by mail, express, or freight of Government property not classed as baggage.

c. Use of Privately-Owned Motor Vehicles.

(1) Determination of Advantage

(a) Before use of a privately-owned vehicle is authorized or approved, the approving official must determine whether:

* It is feasible to use common carrier transportation or a Government-owned vehicle rather than a privately-owned vehicle

* Use of a privately-owned vehicle is advantageous to the Government

(b) All advantages and disadvantages shall be considered including the following:

* Number and frequency of intermediate stopovers

* Availability of common carrier transportation or Government-owned vehicle

* Accessibility of common carrier

* Suitability of common carrier schedules

* Economy

* Whether such transportation would result in more expeditious transaction of the official business

* Employee effectiveness

* Other pertinent factors

(2) Reimbursement for Use of Privately-Owned Vehicle

(a) Approved Use--In accordance with OMB Circular No. A-7, reimbursement will be made at a rate not exceeding 11 cents per mile plus the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls.

(b) Used by Personal Preference--When a privately-owned vehicle is used by personal preference in lieu of common carrier facilities, reimbursement is limited to the lesser of:

* Constructive cost of transportation by appropriate common carrier (air, rail, or bus) and any related per diem

* The authorized mileage rate, not in excess of 11 cents per mile, and any related per diem

d. Trading Stamps.

When a vendor offers trading stamps for the purchase or rental of any item for which the traveler will be reimbursed, the stamps must be accepted since they would be the property of the Government. All trading stamps are to be attached to Standard Form 1012 when it is submitted to the Accounting Operations Division (TAD-452).

9. TRAVEL VOUCHERS

a. Preparation.

(1) Travel vouchers shall be presented on Travel Voucher, SF 1012 (Figure XXI-8). The Travel Voucher shall be prepared in an original and four copies as illustrated in FAA "Travel Handbook," 1500.13. (Subvoucher DD Form 1351-2 may also be used until supply is exhausted). Forms can be obtained from the GSA Self-Service Store.

(2) Travel vouchers shall be completed by the traveler and submitted to the office's designated approval officer with supporting documents for administrative review or approval within five working days after completion of travel. Each voucher claiming reimbursement pursuant to a trip order must be supported by a copy of the related travel order. If the traveler has annual orders, a copy of the travel order as an attachment to the travel voucher is not required.

(3) The approving official shall forward the original and three copies of SF 1012, together with the supporting documents to the OST Accounting Operations Division, TAD-452.

(4) Expenses claimed by the traveler which were not authorized on the travel order must be explained on the travel voucher. This includes expenses such as superior accommodations, extra fare planes or trains, or privately-owned vehicles, as well as excess baggage, miscellaneous expenses relative to official business while on travel, per diem for sick leave in excess of 14 calendar days while in travel status, and travel on an actual expense basis.

(5) Explanation for use of superior accommodations shall be shown on the face of the SF 1012 immediately below transportation information in the "transportation requests issued" block, (or on the back of DD Form 1351-2 in the "Remarks" block). The statement must be initialled by the traveler.

b. Administrative Review.

Each official designated in section 3 of this chapter shall establish procedures for administrative review of travel vouchers as he deems advisable for his particular office. The degree of review shall be related to the size of the office, the degree of contact between the traveler and his supervisor, as well as the complexity of each trip. The approving officer shall be fully cognizant of the requirements of an administrative review as outlined in the FAA "Travel Handbook," 1500.13, and he shall implement those provisions which are deemed advisable.

10. TRAVEL SPANNING TWO FISCAL YEARS

Travel orders issued in a fiscal year that anticipate a trip starting in that fiscal year and ending in the subsequent fiscal year must be coded with the funding reference for the year in which the orders were issued.

Transportation requests issued for trips that start prior to June 30 and involve services being provided after July 1 must be coded with a reference for the earlier fiscal year.

Travel Advance Records requesting advances prior to June 30, that will be outstanding after June 30, must be coded with a reference for the fiscal year in which June 30 is included.

Travel vouchers relating to trips originating in a particular fiscal year and terminating in the subsequent fiscal year must be separated. Per diem and miscellaneous expense obligations applicable to transactions occurring prior to midnight June 30 are to be submitted on one travel voucher using the applicable accounting codes for that fiscal year. Per diem and miscellaneous expense obligations applicable to transactions occurring after June 30 are to be submitted on a separate travel voucher using the accounting codes for that fiscal year.

11. TRIP REPORTS

A trip report shall be prepared within seven days after completion of travel (except local travel), and submitted to the employee's office head. Copies of the report shall be forwarded to UAD-10 for inclusion in the official UMTA project files. As a minimum, the reports shall include the names of local officials contacted, the dates and places of discussion, the purpose of the trip, and results obtained. Each report shall also contain a specific statement on observed compliance or noncompliance with Title VI of the Civil Rights Act.

12. LOCAL TRAVEL

UMTA employees will be reimbursed by the OST Imprest Fund Cashier (TAD-444.2) for approved local travel when the request is for less than $100, and the following procedures are applied:

* Claim for Reimbursement for Expenditures on Official Business, SF 1164, shall be prepared and signed by the traveler. (See Figure XXI-9)

* The form shall be submitted for approval of the office head or his designee.

* Approved requests will be signed and returned to the traveler for subsequent payment from the Imprest Fund Cashier.

* Disapproved requests will be returned to the traveler with a notation as to reason for disapproval.

13. AUTOMOBILE RENTAL

The rental of automobiles while on travel should be utilized only when no other less expensive mode of transportation is available, and only when approved in advance on the travel order, as specified in DOT Notice 2770.2, "Payment for Rental of Commercial Vehicles." Only the approved credit cards should be used, which are available through the Office of Administration (UAD-45) upon advance request. Charges made through personal credit cards will not be honored by Accounting Operations. Upon completion of the trip, all receipts must be attached to the travel voucher.

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

Travel - Memorandum Control Record
Office of _____

Fiscal Year 1971

DATE	DESCRIPTION	AMOUNT
7/1/70	Operating Budget	
	First Quarter Allowance	$1,000
	Travel during July	- 600
	Balance available	$ 400
8/1/70	Operating Budget	$ 400
	First Quarter Allowance Increase	600
	Travel during August	- 200
	Balance available 8/31/70	$ 800
9/1/70	Operating Budget	$ 800
	Travel during September	- 700
	Balance available 9/30/70	$ 100

Figure XXI-1.--Memorandum Control Record

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

Estimate of Travel Obligations
Office of _____

Month 1970

DESCRIPTION		AMOUNT
Travel Allowance Available, July 1, 1970.....		$2,500.00
Estimated travel next 30 days.....		-400.00
Balance available 7/31/70.....		$2,100.00
Travel Allowance Available, August 1, 1970.....		$2,100.00
Estimated travel for July	$400.00	
Actual travel	200.00	
Increase availability	$200.00	200.00
Estimated travel next 30 days.....		-300.00
Balance available 8/31/70.....		$2,000.00
Travel Allowance Available, September 1, 1970....		$2,000.00
Estimated travel for August	$300.00	
Actual travel	500.00	
Decrease availability	$200.00	-200.00
Estimated travel next 30 days.....		-400.00
Balance available 9/30/70.....		$1,400.00

1. General

   The following provides the instructions for submitting an Estimate of Travel Obligations.

2. Headings

   a. "Office of _____" - Complete the name of the office.

   b. "Month 1970" - Complete with the month for which the estimate is submitted.

3. Columnar Entries

   a. "Description" - Reflect data that provides information on the dollar items entered in the "Amount" column. The sample form gives illustrations of typical items that disclose the reasons for making adjustments in dollar amounts.

   b. "Amount" - Entries in this column reflect increases, decreases, and balances in the allowance.

Figure XXI-2.--Estimated Travel Obligations

URBAN MASS TRANSPORTATION ADMINISTRATION
PROGRAM AUDIT DIVISION
TRAVEL ITINERARY

EMPLOYEE ROE, Richard R.

DATES OF TRAVEL Jan. 17 - Jan. 21, 1972

DATE/ TIME	ORGANIZATION/ACTIVITY TO BE VISITED	LOCAL CONTACT (NAME, ADDRESS, TELEPHONE NO.)	PURPOSE
1/17/72	B.A.R.T	% Mr. John Doe S.F. Bay Area Rapid Transit Dist. 814 Mission Street San Francisco, California 94103 Telephone: (415) 986-1818	Audit of B.A.R.T. Records

Figure XXI-3.--Travel Itinerary

TRAVEL ORDER FOR TEMPORARY DUTY

1. NAME & LOCATION OF OFFICE: D.O.T. - Urban Mass Transportation Administration, Washington, D.C.

2. ORDER NO.: TT-0000

3A. NAME & TITLE OF TRAVELER(S): Richard R. Roe, Auditor

3B. COST CENTER:

4. RESIDENCE ADDRESS (Number & street, city, State & ZIP Code): 123 Varnum St., N.E. Washington, D.C. 20011

OFFICE TELEPHONE NUMBER: 426-0000

YOU ARE AUTHORIZED TO PERFORM TRAVEL AS INDICATED BELOW AND TO BE REIMBURSED FOR NECESSARY EXPENSES OF TRAVEL AS PROVIDED IN TRAVEL HANDBOOK 1500.13; DEPARTMENT OF STATE; FOREIGN AFFAIRS MANUAL; OR AID MANUAL

POINTS OF TRAVEL

5A. FROM: Washington, D.C.

5B. TO: San Francisco, California

AND RETURN TO: Washington, D.C.

6. PURPOSE OF TRAVEL: Audit of B.A.R.T. Records

7. TRAVEL TO BEGIN ON OR ABOUT: Jan. 17, 1972

8. APPROX. NO. DAYS: 5

9. MODE OF TRAVEL (Check all applicable)

- [X] AIR
- [ ] PRIVATELY OWNED CONVEY.
- [ ] RAIL
- [ ] GOVERNMENT VEHICLE OR AIRCRAFT
- [ ] OTHER (Specify)

(X) **BASIS FOR REIMBURSEMENT**

[X] 10. PER DIEM IS AUTHORIZED AS PROVIDED IN TRAVEL HANDBOOK 1500.13 UNLESS A SPECIFIC PER DIEM RATE IS INDICATED HEREON — PER DIEM RATE: $ 25.00

NOTE: If lodging and/or meals are furnished by the government without charge or at a nominal cost, the per diem allowance will be reduced as provided in Travel Handbook 1500.13; Foreign Affairs Manual; or AID Manual

[ ] 11. YOU ARE AUTHORIZED THE FOLLOWING EXCESS BAGGAGE ALLOWANCE — WEIGHT (lbs.) / OR / NO. PIECES

YOU WILL BE REIMBURSED FOR TRAVEL BY PRIVATELY OWNED VEHICLE (POV) AT RATES AUTHORIZED

	MILEAGE RATE
[ ] 12A. POV (Personal preference)	
[ ] 12B. POV ADVANTAGEOUS TO GOVERNMENT ☐ GOVT VEHICLE AVAILABLE ☐ GOVT VEHICLE NOT AVAILABLE ☐ TDY TO FAA ACADEMY (Course exceeding 30 days)	
[ ] 12C. OTHER (Specify)	

13. SPECIAL PROVISIONS OR REMARKS

14. SIGNATURE OF REQUESTING OFFICIAL

TITLE: Director, Program Audit Div. — DATE: Dec. 23, 1971

15. SIGNATURE OF AUTHORIZING OFFICIAL

TITLE: Associate Administrator — DATE: Dec. 24, 1971

16. ACCOUNTING CLASSIFICATION

FAA Form 1500-4 (7-69) SUPERSEDES FAA FORM 2638

Figure XXI-4.--Travel Order (one-time Trip)

TRAVEL ORDER FOR TEMPORARY DUTY

1. NAME & LOCATION OF OFFICE: D.O.T. - Urban Mass Transportation Administration, Washington, D.C.

2. ORDER NO.: TT-0000

3A. NAME & TITLE OF TRAVELER(S): Richard R. Roe, Auditor

3B. COST CENTER:

4. RESIDENCE ADDRESS (Number & street, city, State & ZIP Code): 123 Varnum St. N.E. Washington, D.C. 20011

OFFICE TELEPHONE NUMBER: 426-0000

YOU ARE AUTHORIZED TO PERFORM TRAVEL AS INDICATED BELOW AND TO BE REIMBURSED FOR NECESSARY EXPENSES OF TRAVEL AS PROVIDED IN TRAVEL HANDBOOK 1500.13; DEPARTMENT OF STATE; FOREIGN AFFAIRS MANUAL; OR AID MANUAL

POINTS OF TRAVEL

5A. FROM: Washington, D.C.

5B. TO:

AND RETURN TO

6. PURPOSE OF TRAVEL: To carry out audit responsibilities in connection with the administration of the urban mass transportation programs and related activities of the Urban Mass Transportation Administration.

7. TRAVEL TO BEGIN ON OR ABOUT: July 1, 1971

8. APPROX. NO. DAYS: ending June 30, 1972

9. MODE OF TRAVEL (Check all applicable)

- [X] AIR
- [X] PRIVATELY OWNED CONVEY.
- [X] RAIL
- [X] GOVERNMENT VEHICLE OR AIRCRAFT
- [ ] OTHER (Specify)

(X) **BASIS FOR REIMBURSEMENT**

- [X] 10. PER DIEM IS AUTHORIZED AS PROVIDED IN TRAVEL HANDBOOK 1500.13 UNLESS A SPECIFIC PER DIEM RATE IS INDICATED HEREON — PER DIEM RATE: $ 25.00

NOTE: If lodging and/or meals are furnished by the government without charge or at a nominal cost, the per diem allowance will be reduced as provided in Travel Handbook 1500.13; Foreign Affairs Manual; or AID Manual

- [ ] 11. YOU ARE AUTHORIZED THE FOLLOWING EXCESS BAGGAGE ALLOWANCE — WEIGHT (lbs.) / OR / NO. PIECES

YOU WILL BE REIMBURSED FOR TRAVEL BY PRIVATELY OWNED VEHICLE (POV) AT RATES AUTHORIZED

- [X] 12A. POV (Personal preference) — MILEAGE RATE: 10 ¢/mile
- [ ] 12B. POV ADVANTAGEOUS TO GOVERNMENT
  - [ ] GOVT VEHICLE AVAILABLE
  - [ ] GOVT VEHICLE NOT AVAILABLE
  - [ ] TDY TO FAA ACADEMY (Course exceeding 30 days)
- [ ] 12C. OTHER (Specify)

13. SPECIAL PROVISIONS OR REMARKS

First-class jet service authorized when lesser accomodations are not available. Also authorized excess baggage, hire or use special conveyances, including helicopter when necessary. Special registration fees are authorized, as necessary for duly approved attendance at meetings, seminars, etc.

14. SIGNATURE OF REQUESTING OFFICIAL

TITLE: Director, Program Audit Div. — DATE:

15. SIGNATURE OF AUTHORIZING OFFICIAL

TITLE: Associate Administrator — DATE:

16. ACCOUNTING CLASSIFICATION

FAA Form 1500-4 (7-69) SUPERSEDES FAA FORM 2638

Figure XXI-5.--Travel Order (Annual)

* U. S. GOVERNMENT PRINTING OFFICE: 1972—453-808

Department of Transportation

APPLICATION AND ACCOUNT FOR ADVANCE OF FUNDS

ACCOUNT NO. .....

..... (Administration) Appropriation .....

..... (Office, Division or Branch and telephone extension) Name .....

An advance of funds is hereby requested for travel and other expenses to be incurred under authorization No. ....., dated .....

Mail check to .....

Cash Advance Requested .... ☐

..... (Date) ..... (Signature of applicant)

FOR USE OF APPLICANT

Balance due U. S. from previous advance . . . . $ .....

Amount herein applied for . . . . . $ .....

TOTAL, $ .....

Approved:

..... (Date) ..... (Signature of approving officer)

..... (Title)

REMARKS:

Form DOT F 1500.2 (12-71) Accounting Office

Figure XXI-6.--DOT Travel Advance Record Form

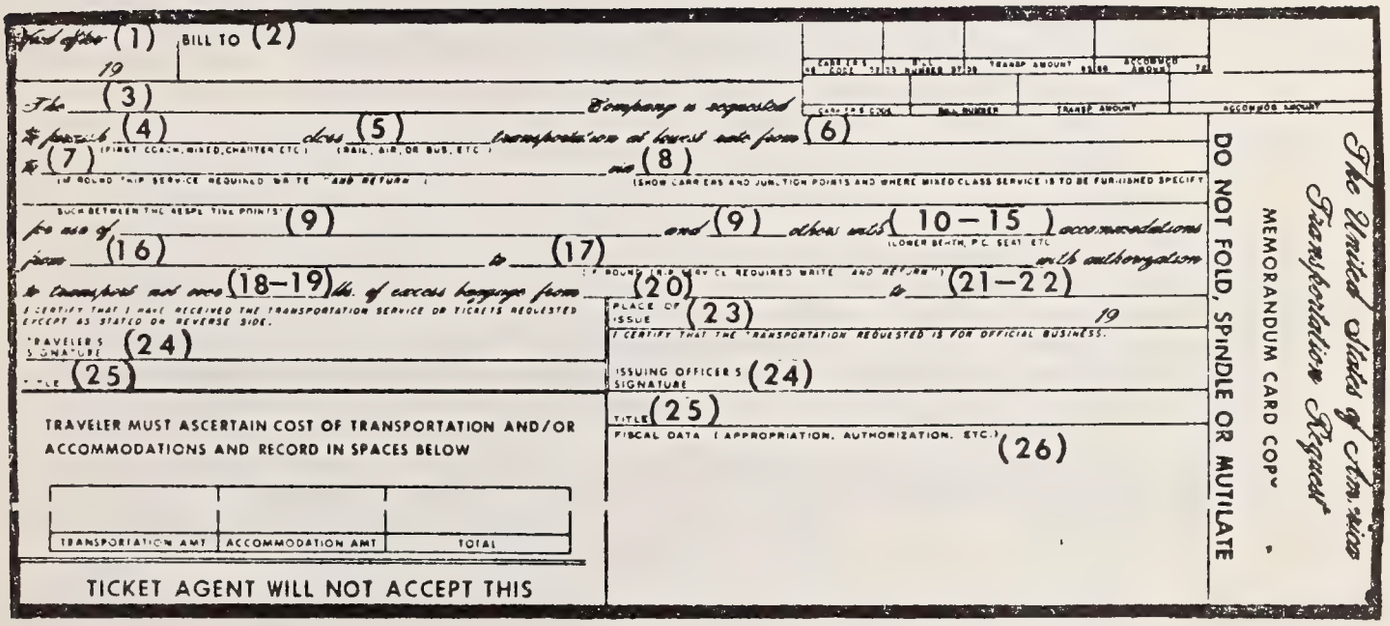


Figure XXI-7.--Transportation Request

STANDARD FORM 1012
October 1967
Title 7, GAO Manual
1012-112

TRAVEL VOUCHER

DEPARTMENT, BUREAU, OR ESTABLISHMENT: D.O.T.-Urban Mass Transportation Administration

VOUCHER NO.

PAYEE'S NAME: Richard R. Roe

SCHEDULE NO.

MAILING ADDRESS (Including ZIP Code): Cash Payment Regested (Telephone Ext. 60000)

PAID BY

OFFICIAL DUTY STATION: Washington, D.C.

RESIDENCE: 123 Varnum St. Washington, D.C.

FOR TRAVEL AND OTHER EXPENSES

FROM (DATE): Jan. 17, 1972 TO (DATE): Jan 21, 1972

APPLICABLE TRAVEL AUTHORIZATION(S) NO / DATE

TRAVEL ADVANCE

Outstanding	$ 80.00
Amount to be applied	80.00
Balance to remain outstanding	$ none

CHECK NO

CASH PAYMENT OF $ _____

RECEIVED (DATE) _____

(Signature of Payee)

TRANSPORTATION REQUESTS ISSUED

TRANSPORTATION REQUEST NUMBER	AGENT'S VALUATION OF TICKET	INITIALS OF CARRIER ISSUING TICKET	MODE, CLASS OF SERVICE, AND ACCOMMODATIONS *	DATE ISSUED	POINTS OF TRAVEL FROM–	POINTS OF TRAVEL TO–
AO-987-654	280.70	A.A.	Coach	1/13/72	Washington, D.C.	San Francisco, Calif. (& Return)

** *Certified correct. Payment or credit has not been received.*

Jan. 12, 1972 (Date) Richard R. Roe (Signature of Payee)

AMOUNT CLAIMED → Dollars: 124 Cts: 55

APPROVED *(Supervisory and other approvals when required)*

Director-Program Audit Div.

DIFFERENCES:

NEXT PREVIOUS VOUCHER PAID UNDER SAME TRAVEL AUTHORITY

VOUCHER NO. | D.O. SYMBOL | DATE (MONTH–YEAR)

Total verified correct for charge to appropriation(s) (initials) _____

Certified correct and proper for payment:

Applied to travel advance (appropriation symbol)

(Date) (Authorized Certifying Officer)

NET TO TRAVELER →

ACCOUNTING CLASSIFICATION

* Abbreviations for Pullman accommodations: MR, master room; DR, drawing room; CP, compartment; BR, bedroom; DSR, duplex single room; RM, roomette; DRM, duplex roomette; SOS, single occupancy section; LB, lower berth; UB, upper berth; LB–UB, lower and upper berth; S, seat.

** FRAUDULENT CLAIM—Falsification of an item in an expense account works a forfeiture of the claim (28 U.S.C. 2514) and may result in a fine of not more than $10,000 or imprisonment for not more than 5 years or both (18 U.S.C. 287; *id.* 1001).

Figure XXI-8.--Travel Voucher (page 1 of 2)

SCHEDULE OF EXPENSES AND AMOUNTS CLAIMED

PREVIOUS TEMPORARY DUTY *(Complete these blocks only if in travel status immediately prior to period covered by this voucher and if administratively required)*

DEPARTURE FROM OFFICIAL STATION (DATE)	(HOUR)	TEMPORARY DUTY STATION LAST DAY OF PRECEDING VOUCHER PERIOD (LOCATION)	(DATE OF ARRIVAL)
Jan. 17, 1972	9:15 AM		

DATE 1972	NATURE OF EXPENSE*	AUTHORIZED MILEAGE RATE ____¢ SPEEDOMETER READINGS	NO. OF MILES	AMOUNT CLAIMED MILEAGE	SUBSISTENCE	OTHER
1-17	TAXI - office to K St. Terminal					75
	LIMO - Terminal To Airport (10AM)					2 10
	Depart Wash. National Airport via A.A. Flt. 422. Arr. S.F. Airport					—
	LIMO - Airport to Hotel					1 25
1-17 thru 1-21	10 Trips by bus - Hotel To B.A.R.T. office (Fare @ 30 ¢)					3 00
1-21	Limo - Hotel To Airport					1 25
	Depart S.F. Airport Via A.A. Flt. 478 - Arr. Wash. National Airport					—
	Limo - Airport To Terminal (Arrive 3:50 PM)					2 10
	TAXI - Terminal To Residence					1 60
	PER DIEM					
	1-17 through 1-20 - Hotel in					
	San Francisco (4 Nights @ $12.50)					
	Per Diem Claimed - 4½ Days @ $25.00				112 50	
	Grand total to face of voucher (Subtotals, to be carried forward if necessary) →	124.55			112 50	12 05

★ U.S. GOVERNMENT PRINTING OFFICE : 1969 O—340-464 (69-1)

*If per diem allowances for members of employee's immediate family are included, give members' names, their relationship to employee, and ages and marital status of children (unless this information is shown on the travel authorization).

Figure XXI-8.--Travel Voucher (page 2 of 2)

Standard Form 1164
August 1970
Title 7, GAO Manual
1164-209

CLAIM FOR REIMBURSEMENT FOR EXPENDITURES ON OFFICIAL BUSINESS

Voucher No. _____

Schedule No. _____

PAID BY

Agency D.O.T.- Urban Mass Transportation Administration

Name and mailing address of claimant Raymond D. Smith
(Cash Payment Requested) ZIP Code: _____

Indicate by applicable letter, in column 2 below, whether expenditure was for (a) local travel or (b) telephone or telegraph. Miscellaneous expenditures must be specified in detail.

Date 1972	Code	From	To	†Mileage Rate ___¢ Speedometer Readings	No. of Miles	Amount Claimed Mileage	*Fare or Toll	Tip & Misc.
1-4	a	Washington, D.C.	Baltimore, Md.	22115 22160	45	$4.50	$	$
	a	Baltimore Harbor Tunnel Toll (@ 50¢)					1.00	
	b	Baltimore (Telephone to Office)						.65
	a	Baltimore, Md.	Washington, D.C.	22160 22205	45	4.50		
			Subtotals from reverse →					
			Grand total →		$ 10.65	90	9.00	1.00	.65

(SIGN ORIGINAL ONLY)

Approved as advantageous to the Government. Long distance telephone calls are certified as necessary in the interest of the Government.

1/5/72 _____
(Date) **(Approving Officer)

Certified correct and proper for payment:

_____ _____
(Date) (Authorized Certifying Officer)

Certified correct. Payment or credit has not been received.

1/4/72 Raymond D. Smith
(Date) (Signature of claimant)

Received in cash, $ _____

_____ _____
(Date) (Signature)

Paid by check No. _____

ACCOUNTING CLASSIFICATION

*If fare claimed exceeds charge for one person, the number of additional persons accompanying claimant will be shown following applicable fare.

†If private automobile is used, show speedometer readings at beginning and end of trip and number of miles and rate per mile.

**If long distance telephone calls are included, the approving officer must have been authorized in writing by the head of the department or agency to so certify (31 U.S.C. 680a).

Figure XXI-9.--Claim for Reimbursement

Chapter XXII
Management of Accountable UMTA Personal Property

		Page
1.	General	XXII-1
2.	Responsibilities	XXII-1
	a. Property Management Officer	XXII-1
	b. Property Custodian	XXII-2
	c. Individual Employees	XXII-3
3.	Property Control	XXII-3
	a. Valuation Guidelines	XXII-3
	(1) Purchases	XXII-4
	(2) Transfers	XXII-4
	b. Property Records	XXII-4
	c. Physical Inventory Procedures	XXII-5
	(1) General	XXII-5
	(2) Frequency	XXII-5
	(3) Inventory Count	XXII-5
	(4) Inventory Reconciliations	XXII-6
	d. Personally Charged Property	XXII-6
	e. Removal of Property from Government Premises	XXII-7
	f. Lost, Stolen, or Damaged Property	XXII-7
4.	Acquisition and Disposal	XXII-7
	a. Acquisition	XXII-7
	b. Disposal of Excess Property	XXII-9
5.	Personal Property in the Possession of Contractors	XXII-9

CHAPTER XXII

List of Figures

Figure No.	Title
XXII-1	Property Record Card
XXII-2	Property Pass
XXII-3	Request for Acquisition
XXII-4	Request for Disposal

CHAPTER XXII

MANAGEMENT OF ACCOUNTABLE UMTA PERSONAL PROPERTY

1. GENERAL

Management of accountable UMTA property is the responsibility of the Logistics and Procurement Staff Coordinator (UAD-45) in the Office of Administration.

Accountable personal property is generally defined as that property for which quantitative and descriptive detailed property records are maintained, either because the equipment is capitalized in an appropriate general ledger account, or because it is otherwise significant from a management standpoint. Equipment of this latter type would include "sensitive" items that have popular appeal, are difficult to control, and are easily appropriated for personal use or can be readily converted to cash. Examples of these items include cameras, radios, portable dictating equipment, etc. Other accountable equipment of management interest includes non-capitalized office furniture and equipment.

Because of the ready accessibility to GSA stores in the immediate area, office supplies shall not be purchased in quantities sufficient to warrant the need for detailed property control and accounting procedures. Moreover, for purposes of this Handbook, real property is not considered as accountable personal property.

The procedures which follow prescribe a general system of personal property accounting and define responsibilities and procedures for implementing and operating that system.

2. RESPONSIBILITIES

a. Property Management Officer.

The Associate Administrator for Administration (UAD-1) has designated the Logistics and Procurement Staff Coordinator (UAD-45) as the Property Management Officer for UMTA. This individual is responsible for establishing procedures for the control, use, storage, and maintenance of UMTA personal property. The responsibilities include:

* Establishing standard procedures for the physical control of all personal property

* Approving and processing all requests for property acquisition and disposal under established fund limitations

* In coordination with the Financial Management Division (UAD-20), scheduling and arranging for periodic and special inventories of all UMTA personal property

* Reviewing and evaluating the performance of property custodians

* Maintaining records for the management of personal property

* Implementing an identification marking for UMTA-owned personal property

* Establishing and maintaining a loan pool of surplus UMTA property, for the temporary use of UMTA offices as requested by the office's designated property custodian

b. Property Custodian.

A property custodian shall be appointed by the head of each UMTA office. That office shall submit the designated employee's name to the Property Management Officer who will orient the custodian to specific duties and responsibilities relating to personal property management. The property custodian will exercise control over the personal property assigned to his office and shall be responsible for its care and safekeeping. The property custodian shall:

* Advise the Property Management Officer promptly of any changes affecting custody of his assigned property

* Assure that inventory records and necessary forms are updated by the Property Management Officer and the Financial Management Division (UAD-20) whenever property assigned to the property custodian is acquired, transferred, disposed, lost, damaged, or destroyed

* Utilize to the fullest extent possible the UMTA or OST loan pool for personal property needed on a temporary or intermittent basis

* Identify and report to the Property Management Officer all personal property excess to the

program needs of his office or assigned area

* Assist in taking physical inventories of assigned property

* Review requests for property acquisition or disposal to ensure that such requests conform with office plans and needs

c. Individual Employees.

UMTA personnel are responsible for:

* The proper care and protection of all assigned Government property

* Insuring that Government property is used only in the conduct of official business

* Reporting to the property custodian any property that is lost, is damaged, or has been removed from its assigned room or area

3. PROPERTY CONTROL

a. Valuation Guidelines.

All personal property owned or acquired shall be capitalized in accordance with the provisions of DOT Order 2700.8, "Accounting Principles and Standards," and DOT Order 2700.5A, "Consolidated Accounting System Users Manual."

Personal property shall be capitalized and financial control maintained in the accounting records when the property:

* Does not lose its identity by being incorporated into another item of property

* Has a useful life of more than one year without material impairment of its physical condition

* Has a unit cost value, when acquired, of more than $200

* Is classified as "sensitive" property

Capitalized property will be recorded in the property accounts at the following values:

(1) Purchases--Valued at the actual acquisition cost. This includes the purchase price less any trade or volume discounts, plus transportation charges to the first destination and installation costs.

(2) Transfers--As specified in General Accounting Office (GAO) Manual:

* Reimbursable: price agreed to at time of transfer, or not less than estimated useful value

* Nonreimbursable: acquisition or estimated cost

* Trade-ins: amount paid for the property, plus the credit received

* Donated property: Property Management Officer's estimated market value

b. Property Records.

UAD-45 shall maintain the master property record files for all accountable UMTA personal property. These files shall be maintained on a perpetual basis and shall be segregated into classes or groups of items as required by the Financial Management Division to facilitate reconciliation by the appropriate general ledger accounts. This will be carried out in conformance with subsection 12.5 of Title 2 of the GAO Manual, which provides guidance in the establishment of a system of accounting for property.

All entries to the detail property records which affect the dollar balance of capitalized property shall be made only from documents that have been placed under accounting control in the Financial Management Division. The master property records shall be prepared and maintained by the Property Management Officer. Each custodian will assist the Property Management Officer by supplying data on assigned office property. The Property Management Officer will enter specific information for each item of property on the Property Record card (Form FRA F 31) illustrated in Figure XXII-1. Information required for this card may be obtained from examination of the item and the acquisition documents. Property will be accounted for by either of the two means described below.

documents. Property will be accounted for by either of the two means described below.

* Item-controlled property--These are items of accountable personal property such as capitalized equipment, sensitive property, machines and devices that have a serial number (either manufacturer or Government applied), or other items individually controlled because of the nature of the property. A separate Property Record card (FRA F 31) will be maintained for each specific type of property.

* Group-controlled property--These are items of accountable personal property which represent significant quantities of similar property which are not individually identifiable. Examples may include desks, chairs, cabinets, tables, lamps, etc. Quantities of this type of property will be entered on the Property Record card according to the group name.

c. Physical Inventory Procedures.

(1) General--These procedures apply to all UMTA-owned personal property. Copies of inventory records will be given to each UMTA office for maintenance by the property custodian.

(2) Frequency--The specific timetable for the physical inventory shall be established by the Property Management Officer. The periodic physical inventory shall be taken to an annual basis. Special inventories are accomplished when circumstances warrant, such as when a new custodian is appointed, or where there has been an indication that a discrepancy exists between the actual on-hand quantity and the quantity reflected in the stock records.

(3) Inventory Count--The Property Management Officer shall inform the property custodian in writing as to the timetable for conducting the physical inventories. The custodian shall ensure that all items of personal property are present in the custodial area during the time of the inventory taking. The Property Management Officer shall then:

* Prescribe the method of taking the inventory

* Provide that individuals other than the custodian of the property actually take the inventory

* Require that the date of the inventory be placed on all inventory sheets

* Require that the individuals taking the inventory count sign the completed inventory sheets

* Require that the individuals taking the inventory not be furnished with the quantities shown by the stock records prior to conducting the physical count

(4) Inventory Reconciliations--The Financial Management Division (UAD-20) and the Property Management Officer acting jointly shall promptly reconcile the physical inventory to the subsidiary stock records and prepare a list of the differences. After the validity of the differences has been determined, the stock records shall be adjusted to bring them into agreement with the results of the inventory. UAD-20 shall record the necessary adjustments in the appropriate general ledger control accounts.

In the event of any shortage or damaged property, the Property Management Officer shall review the problem with the Associate Administrator for Administration (UAD-1) and request that a board of survey be convened. The members of this board shall be appointed by UAD-1, and shall investigate and determine responsibility for the loss. After submitting the results of the investigation to UAD-1, the Property Management Officer and UAD-20 shall take steps to implement their findings, subject to approval by UAD-1.

d. Personally Charged Property.

The issuance of property to individuals on a personal charge basis will be accomplished only by the Property Management Officer. He shall:

* Maintain a current file of memorandum receipt forms for all personally charged property

* Insure that all property personally charged to personnel terminating employment with UMTA be returned prior to exit clearance, and provide a signed statement to that fact in exit clearance papers

* Insure that building access is provided when necessary to remove and return personally charged property

* Insure that requested property is necessary for the proper discharge of the employees' official duties

e. Removal of Property from Government Premises.

UMTA personal property required for use outside Government premises may be removed only when accompanied by a properly executed Property Pass, Form OF-7 (see Figure XXII-2). This form may be obtained from the Property Management Officer or his designated representative, and one copy must be provided to the U. S. Special Police guard stationed at the building entrance upon removal of the property.

f. Lost, Stolen, or Damaged Property.

Upon being notified by the property custodian of lost, stolen, or damaged property, the Property Management Officer will notify the Financial Management Division (UAD-20). These two offices will evaluate the problem and determine if further investigation is required. If so, either of the two following methods shall be applied.

(1) When it appears that the damage was intentionally caused or resulted from unauthorized tampering, or when circumstances arise which indicate the need for investigation, the Property Management Officer will notify the Office of Investigation and Security (TAD-50).

(2) If it has been determined that the property was lost or damaged through negligence, the Property Management Officer will recommend to UAD-1 that a board of survey be convened in accord with the FPMR. The board will be appointed by UAD-1 and will be charged with the responsibility to conduct an investigation. The board will then notify (in writing) the Property Management Officer and UAD-20 of the actions which must be taken to implement its findings.

4. ACQUISITION AND DISPOSAL

a. Acquisition.

An organizational element requiring the acquisition of personal property must submit its request using a

separate OST F 4420.1, "Request for Acquisition or Disposal" (Figure XXII-3) for each item. The request will be reviewed by the organization's designated property custodian. The property custodian shall first attempt to meet the requirement from excesses within his custodial area. If no excess is found, the property custodian will obtain approval of the office head, and forward the original and remaining copies of the OST F 4420.1 form to the Property Management Officer. A suspense copy shall be retained by the custodian.

The Property Management Officer, upon receipt of the request, will:

* Insure that the request is properly prepared and constitutes a valid requirement.

* Indicate approval or disapproval on the request and return a copy to the property custodian.

* Obtain the requested item from one of the following sources of supply in the order in which they are listed:

  -- UMTA stock

  -- DOT excess (loan pool)

  -- Other Federal agency excess (as itemized in periodic GSA excess property listing)

  -- New procurement

* If the item is to be purchased, the Property Management Officer will prepare a Procurement Request (Form DOT F 4200.1) upon receipt of the Request for Acquisition. The Property Management Officer will complete the procurement activities in accordance with chapter XI, "Procurement of Materials and Services." Upon delivery of the property, the custodian, or his representative, will acknowledge receipt by signing the request form. The signed request will then be returned to the Property Management Officer to be used as the basis for posting custodial inventory records.

b. Disposal of Excess Property.

All excess personal property will be disposed of in accordance with the "Federal Property Management Regulations" (FPMR), as published by GSA, and also DOT Order 4600.1A, "Redistribution of Excess Personal Property." Personal property can be determined "excess" to UMTA needs only by the Associate Administrator for Administration (UAD-1), based on the recommendation of the Property Management Officer.

The property custodian will prepare the Request for Acquisition or Disposal Form OST F 4420.1 (Figure XXII-4), and request approval of the office head. If approved, the form will be submitted to the Property Management Officer, and the equipment will be picked up. Inventory records will be updated to show the transfer. If the equipment is needed in the UMTA loan pool, it will be placed there. If not, the equipment will be forwarded to the OST Material Management Branch (TAD-471), for inclusion in the OST loan pool, or to be disposed of as prescribed by the FPMR.

5. PERSONAL PROPERTY IN THE POSSESSION OF CONTRACTORS

All personal property acquired by and in the possession of a contractor or subcontractor, including Government-furnished property in which title is vested in the United States Government, shall be used, controlled, and safeguarded pursuant to the terms of that contract. Although the contracting officer is responsible for establishing procedures for procuring, recording, inventorying, periodic reporting, and return of such property, he shall be provided with the specific requirements for recording and inventorying of such property by UAD-45 and UAD-20.

Nonexpendable personal property in the hands of UMTA grantees shall be disposed of in accordance with the procedures prescribed in the "External Operating Manual," chapter III-B.

CODE SYMBOL	NAME OF ARTICLE	SERIAL NO.	LOCATION
—	—	—	—

DETAIL DESCRIPTION TYPEWRITER, Electric (IBM "Selectric")

DATE OF ENTRY (a)	DOCUMENT REF. NO. (b)	QUANTITY RECEIVED (c)	QUANTITY DISPOSAL (d)	QUANTITY BALANCE (e)	COST UNIT (f)	COST DEBIT (g)	COST CREDIT (h)	COST BALANCE (i)
1/7/72	PI.	4		4	ea.	$950		$1400
2/3/72	PT.2016	2		6	ea.	$450		$2300

PROPERTY RECORD CARD

IBM "Selectric"
Form FRA F 31 (3 71)

NAME OF ARTICLE	SERIAL NO.	LOCATION
Typewriter, Electric	over	over

- FRONT SIDE -

- REVERSE SIDE -

Serial No. Location

RECORD OF MAJOR REPAIRS

DATE	REF.	NATURE OF REPAIR	AMOUNT	DATE	REF.	NATURE OF REPAIR	AMOUNT
1/7/72	PI	5730012	UAD				
"	"	5789604	UCR				
"	"	9370021	UPO				
"	"	9408776	UPP				
2/3/72	PT2016	9948107-	UCC				
		9879903-(Storage	UAD)				

Figure XXII-1.--Property Record Card

OPTIONAL FORM 7
NOVEMBER 1950
PRESCRIBED BY GSA
FPMR (41 CFR) 101-19.108

PROPERTY PASS

1. DATE ISSUED: 1/6/72

This pass is to be used whenever property is removed from the building. It is to be properly filled in and signed and handed to the guard when leaving the building.

2. NAME: John Doe

3. BUILDING: Nassif

4. DESCRIPTION OF PROPERTY BEING REMOVED: Adding machine - ser. # 1234567 (being returned to owner)

5. PROPERTY BELONGS TO: Vactor Corporation

6. DEPARTMENT OR AGENCY: DOT - UMTA

7. SIGNATURE OF PERSON AUTHORIZING REMOVAL OF PROPERTY: /s/ by UAD-45

8. TITLE: Logistics + Proc. Coordinator

9. PASS GOOD UNTIL: 1/6/72 - COB

★ GPO : 1965 O—755-152 (55ID 5007-103

OPTIONAL FORM 7
NOVEMBER 1950
PRESCRIBED BY GSA
FPMR (41 CFR) 101-19.108

PROPERTY PASS

1. DATE ISSUED: 1/6/72

This pass is to be used whenever property is removed from the building. It is to be properly filled in and signed and handed to the guard when leaving the building.

2. NAME: Mary Smith

3. BUILDING: Nassif

4. DESCRIPTION OF PROPERTY BEING REMOVED: Portable tape recorder - assigned to Mary Smith for official business

5. PROPERTY BELONGS TO: UMTA

6. DEPARTMENT OR AGENCY: DOT - UMTA

7. SIGNATURE OF PERSON AUTHORIZING REMOVAL OF PROPERTY: /s/ by UAD-45

8. TITLE: Logistics + Proc. Coordinator

9. PASS GOOD UNTIL: 3/23/72

★ GPO : 1965 O—755-152 (55ID 5007-103

Figure XXII-2.--Property Pass

OST 4420.1
8/30/71

PREPARE ORIGINAL & 4 COPIES. SEE INSTRUCTIONS ON REVERSE PAGE OF PAGES

REQUEST FOR ACQUISITION OR DISPOSAL (SAMPLE)

1 [XX] ACQUISITION [ ] DISPOSAL

2. DOCUMENT REF. NO.

3. REQUESTING OFFICE	4. TO	5. DELIVERY DATE
TAD-427	TAD-471	Sept. 4, 1971

6. NAME (Last, First, Middle Initial)	6a. TELEPHONE EXT	6b. ROUTING SYMBOL
Doe, John R.	60000	TAD-427

7. ACCOUNTING AND FUNDING DATA
A237-09.03.00.00-1900-3710

8. DELIVER TO
Sally Smith, Room 1111, Nassif Building, extension 60001

ITEM NO. 9a	STOCK NUMBER, DESCRIPTION OF ITEM, SERVICE AND/OR SHIPMENT REQUESTED 9b	UNIT 9c	QUAN REQ 9d	CODE* 9e	SUPPLY ACTION 9f	UNIT COST 9g	TOTAL COST 9h
1.	Typewriter, electric, 13 inch carriage, elite type (12 pitch)	ea.	1	I			

* Acquisition: I = Initial, R = Replacement Disposal: S = Serviceable, U = Unserviceable

PAGE TOTAL

GRAND TOTAL

10. JUSTIFICATION OF NEED Machine necessary for use by new position approved in FY-72 (TAD-427 Branch Secretary). It is requested that machine have interchangeable type font.

11 AUTHORIZED REQUISITIONER

11a. SIGNATURE Property Thomas Jones, Custodian

11b. DATE 7/16/71

12. APPROVAL/DISAPPROVAL

[ ] APPROVAL [ ] DISAPPROVAL

12a. SIGNATURE

12b. DATE

13. QUANTITY IN SUPPLY ACTION COLUMN RECEIVED

13a. SIGNATURE

13b. DATE

14 SUGGESTED SUPPLY SOURCE (Name and address)

14a. National Typewriter Corporation
1103 Anywhere Street
Any town, USA 99999

14b.

14c.

15a. PROPERTY

[ ] ACCOUNTABLE

[ ] NON-ACCOUNTABLE

15b. POSTED

BY

DATE

BY

DATE

Form OST F 4420.1 (12-70)

Figure XXII-3.--Request for Acquisition

OST 4420.1
8/30/71

PREPARE ORIGINAL & 4 COPIES. SEE INSTRUCTIONS ON REVERSE PAGE OF PAGES

REQUEST FOR ACQUISITION OR DISPOSAL (SAMPLE)

1 [ ] ACQUISITION [X] DISPOSAL

2. DOCUMENT REF. NO.

3. REQUESTING OFFICE	4. TO	5. DELIVERY DATE
TAD-427	TAD-471	

6. NAME (Last, First, Middle Initial)	6a. TELEPHONE EXT	6b. ROUTING SYMBOL
DOE, JOHN R.	60000	TAD-427

7. ACCOUNTING AND FUNDING DATA
N/A

8. DELIVER TO

ITEM NO. 9a	STOCK NUMBER, DESCRIPTION OF ITEM, SERVICE AND/OR SHIPMENT REQUESTED 9b	UNIT 9c	QUAN REQ 9d	CODE 9e	SUPPLY ACTION 9f	UNIT COST 9g	TOTAL COST 9h
1	Dictating machine, with headset, foot control and power cord. Easyspeak, model 2-A3, serial number 1237-3654.	ea.	1	S			

* Acquisition: I = Initial, R = Replacement Disposal: S = Serviceable, U = Unserviceable

PAGE TOTAL
GRAND TOTAL

10. JUSTIFICATION OF NEED
Machine no longer needed. Recently vacated staff position.

11. AUTHORIZED REQUISITIONER		14. SUGGESTED SUPPLY SOURCE (Name and address)
11a. SIGNATURE Property Thomas Jones, Custodian	11b. DATE 7/27/71	14a.
12. APPROVAL/DISAPPROVAL		
[ ] APPROVAL / [ ] DISAPPROVAL — 12a. SIGNATURE	12b. DATE	14b.
13. QUANTITY IN SUPPLY ACTION COLUMN RECEIVED		
13a. SIGNATURE	13b. DATE	
15a. PROPERTY	15b. POSTED	14c.
[ ] ACCOUNTABLE	BY / DATE	
[ ] NON-ACCOUNTABLE	BY / DATE	

Form OST F 4420.1 (12-70)

Figure XXII-4.--Request for Disposal

Chapter XXIII
Administrative Collection of Claims

		Page
1.	General	XXIII-1
2.	Demand for Payment	XXIII-1
3.	Personal Interviews with Debtors	XXIII-2
4.	Contact with Debtor's Employing Agency	XXIII-2
5.	Suspension or Revocation of License or Eligibility	XXIII-2
6.	Liquidation of Collateral	XXIII-2
7.	Collection by Offset	XXIII-3
8.	Collection in Installments	XXIII-3
9.	Compromises	XXIII-3
10.	Interest	XXIII-4
11.	Suspension of Collection Activity	XXIII-5
12.	Termination of Collection Activity	XXIII-5
	a. Inability to Collect any Substantial Amount	XXIII-5
	b. Inability to Locate Debtor	XXIII-6
	c. Cost will Exceed Recovery	XXIII-6
	d. Claim Legally Without Merit	XXIII-6
	e. Claim Cannot be Substantiated by Evidence	XXIII-6
13.	Referrals to GAO or the Department of Justice	XXIII-6
14.	Report of Prior Collection Action	XXIII-8
15.	Preservation of Evidence	XXIII-8
16.	Minimum Amount of Referrals to the Department of Justice	XXIII-8
17.	Referrals to the General Accounting Office	XXIII-8

CHAPTER XXIII

List of Figures

Figure No.	Title
XXIII-1	Confess-Judgment Note
XXIII-2	Financial Statement of Debtor

CHAPTER XXIII

ADMINISTRATIVE COLLECTION OF CLAIMS

1. GENERAL

The procedures which follow prescribe the collection, compromise, termination of collection action and the referral to the General Accounting Office, and to the Department of Justice for litigation of civil claims by UMTA for money or property.

The Administrator or his designee, pursuant to regulations prescribed by him and in conformity with such standards as may be promulgated by the Secretary and jointly by the Attorney General and the Comptroller General, shall attempt collection of all claims of the United States for money or property arising out of the activities of, or referred to, his agency. After the amount of a debtor's obligation has been determined by the Administrator, the Associate Administrator for Administration shall take aggressive action, on a timely basis with effective followup, to collect all claims of the United States for money or property arising out of the activities of the Urban Mass Transportation Administration. The Associate Administrators for Program Planning, Program Operations and Program Demonstrations shall provide such information and assistance as may be necessary to enable the Associate Administrator for Administration to carry out his collection duties. The Chief Counsel shall provide such legal advice and support as the Assistant Administrator for Administration shall require, including liaison with the General Accounting Office and the Department of Justice as necessary.

2. DEMAND FOR PAYMENT

a. After the amount of a debtor's obligation has been determined, the cognizant program officials will advise the Associate Administrator for Administration by memorandum providing all pertinent data.

b. Appropriate written demand shall be made upon a debtor of the United States in terms which inform the debtor of the consequences of his failure to cooperate.

c. Three written demands, at 30-day intervals, will normally be made unless a response to the first or second demand indicates that further demand would be futile or unless prompt suit or attachment is required in anticipation

of the departure of the debtor or debtors from the jurisdiction, or his or their removal or transfer of assets or the running of the statute of limitations.

d. There should be no undue time lag in responding to any communication received from the debtor or debtors.

3. PERSONAL INTERVIEWS WITH DEBTORS

Personal interviews will be undertaken with debtors when this is feasible, having regard for the amounts involved and the proximity of UMTA representatives to such debtors.

4. CONTACT WITH DEBTOR'S EMPLOYING AGENCY

When a debtor is employed by the Federal Government or is a member of the military establishment or the Coast Guard, and collection by offset cannot be accomplished by making deductions from the current pay account of the individual, the employing agency will be contacted for the purpose of arranging with the debtor for payment by allotment or otherwise.

5. SUSPENSION OR REVOCATION OF LICENSE OR ELIGIBILITY

When seeking the collection of debts, serious consideration will be given to suspending or disqualifying any debtor from doing further business with UMTA or engaging in programs sponsored by it if such a debtor fails to pay its debts to the Government within a reasonable time. In such instances, the debtor will be so advised. The failure of any surety to honor its obligations in accordance with 6 U.S.C. 11 is to be reported to the Treasury Department at once. Notification that a surety's certificate of authority to do business with the Federal Government has been revoked or forfeited by the Treasury Department will be forwarded by that department to all interested agencies.

6. LIQUIDATION OF COLLATERAL

When UMTA is holding security or collateral which may be liquidated and the proceeds applied on debts due it through the exercise of a power of sale in the security instrument or a non-judicial foreclosure, the Associate Administrator for Administration shall do so by such procedures if the debtor fails to pay his debt within a reasonable time after demand unless the cost of disposing of the collateral will be disproportionate to its value or special circumstances require judicial foreclosure.

7. COLLECTION BY OFFSET

a. Collections by offset will be undertaken administratively on claims which are liquidated or certain in amount in every instance in which this is feasible.

b. Collections by offset from persons receiving pay or compensation from the Federal Government shall be effected over a period not greater than the period during which such pay or compensation is to be received.

c. Appropriate use should be made of the cooperative efforts of other agencies in effecting collections by offset, including utilization of the Army Holdup List.

8. COLLECTION IN INSTALLMENTS

a. Claims should be collected in full in one lump sum whenever this is possible. However, if the debtor is unable to pay the indebtedness in one lump sum, payment may be accepted in regular installments.

b. The size and frequency of such installment payments should bear a reasonable relation to the size of the debt and the debtor's ability to pay. If possible, the installment payments should be sufficient in size and frequency to liquidate the Government's claim in not more than three years. Installment payments of less than $10 per month should be accepted in only the most unusual circumstances.

c. When an unsecured claim is held for administrative collection, an attempt should be made to obtain an executed confess-judgment note (See Figure XXIII-1) from a debtor when the total amount of the deferred installments will exceed $750. Such notes may be sought when an unsecured obligation of a lesser amount is involved.

d. Security for deferred payments, other than a confess-judgment note, may be accepted in appropriate cases. Installment payments may be accepted notwithstanding the refusal of a debtor to execute a confess-judgment note or to give other security.

9. COMPROMISES

a. The Associate Administrator for Administration will attempt to effect compromises (preferably during the course of personal interviews), of claims of $20,000 or less exclusive of interest in all cases in which it can be ascertained

that the debtor's financial ability will not permit payment of the claim in full, or in which the litigative risks or the costs of a litigation dictate such action. Any such compromise shall be approved by the Administrator prior to settlement.

b. A compromise should be for an amount which bears a reasonable relation to the amount which can be recovered by enforced collection procedures, having regards for the exemptions available to the debtor and the time which collection will take.

c. Compromises payable in installments are to be discouraged. However, if payment of a compromise by installments is necessary, an agreement for the reinstatement of the prior indebtedness less sums paid thereon and acceleration of the balance due upon default in the payment of any installment should be obtained, together with security in the manner set forth in paragraph 8, in every case in which this is possible.

d. If the files do not contain reasonably up-to-date credit information as a basis for assessing a compromise proposal such information may be obtained from a debtor by obtaining a statement executed under penalty of perjury showing the debtor's assets and liabilities, income and expense. Forms such as the ones shown in Figure XXIII-2 may be used for this purpose. Similar data may be obtained from corporate debtors by obtaining balance sheets and such additional data that may be required.

e. Compromise authority must be exercised prior to the referral of such claims to the General Accounting Office or to the Department of Justice for litigation.

f. Only the Comptroller General or his designee may effect the compromise of a claim that arises out of an exception made by the General Accounting Office in the account of an accountable officer, including a claim against the payee, prior to its referral by that office for litigation.

10. INTEREST

a. In cases in which prejudgment interest is not mandated by statute, contract or regulation, the Administrator may forego the collection of prejudgment interest as an inducement to voluntary payment. In such cases demand letters should inform the debtor that prejudgment interest will be collected if suit becomes necessary.

b. When a debt is paid in installments and interest is collected, the installment payments will first be applied to the payment of accrued interest and then to principal unless a different rule is prescribed by statute, contract or regulation.

11. SUSPENSION OF COLLECTION ACTIVITY

a. Collection activity may be suspended temporarily on a claim when the debtor cannot be located and there is reason to believe that future collection action may be sufficiently productive to justify periodic review and action on the claim giving consideration to its size and the amount which may be realized thereon.

b. The following sources may be of assistance in locating missing debtors: telephone directories; city directories; postmasters; drivers' license records; automobile title and license records; state and local governmental agencies; district directors of Internal Revenue; other Federal agencies; employers; relatives, friends; credit agency skip-locate reports.

c. Suspension as to a particular debtor should not defer the early liquidation of security for the debt.

d. Collection action may be suspended temporarily on a claim when the debtor owns no substantial equity in realty and is unable to make payment on the government's claim or effect a compromise at the time but his future prospects justify retention of the claim and the applicable statute of limitations has been tolled or started running anew or future collection can be effected by offset notwithstanding the statute of limitations.

12. TERMINATION OF COLLECTION ACTIVITY

The Administrator may terminate collection activity and consider the agency's file on the claim closed under the following standards:

a. Inability to Collect any Substantial Amount. Collection action may be terminated on a claim when it becomes clear that the Government cannot collect or enforce collection of any significant sum from the debtor having due regard for the judicial remedies available to the Government, the debtor's future financial prospects, and the exemptions available to the debtor under State and Federal law. In determining the debtor's inability to pay, the following factors, among others may be considered: age and health of the debtor; present and potential income; inheritance prospects; the possibility

that assets have been concealed or improperly transferred by the debtor; the availability of assets or income which may be realized upon enforced collection proceedings.

b. Inability to Locate Debtor. Collection action may be terminated on a claim when a debtor cannot be located, there is not security remaining to be liquidated, the applicable statute of limitations has run, and prospects of collection by offset notwithstanding the bar of the statute of limitations is too remote to justify retention of the claim.

c. Cost Will Exceed Recovery. Collection action may be terminated on a claim when it is likely that the cost of further collection action will exceed the amount recoverable thereby.

d. Claim Legally Without Merit. Collection action should be terminated on a claim whenever it is determined that the claim is legally without merit.

e. Claim Cannot be Substantiated by Evidence. Collection action should be terminated when it is determined that the evidence necessary to prove the claim cannot be produced or the necessary witnesses are unavailable and efforts to induce voluntary payment are unavailing.

13. REFERRALS TO GAO OR THE DEPARTMENT OF JUSTICE

a. Claims on which collection action has been taken in accordance with paragraphs two through eight and which cannot be compromised, or on which collection action cannot be suspended or compromised in accordance with paragraphs nine through twelve will be referred to the General Accounting Office.

b. If the agency is granted an exception from referrals to the General Accounting Office, the referrals may be made to the Department of Justice.

c. Such referrals should be made as early as possible consistent with aggressive collection action and the observance of the instructions contained in this chapter. In any event referrals should be made well within the time limit for bringing a timely suit against the debtor.

d. All referrals will be accompanied by the current address of the debtor or the name of the agent for a corporation upon whom service may be made. Appropriate steps will be taken to locate missing parties in all cases.

e. Referrals in which the current address of any party is unknown will be accompanied by a listing of the prior known addresses of such a party and a statement of the steps taken to locate him.

f. Claims referred to the General Accounting Office and to the Department of Justice for litigation, will be accompanied by reasonably current credit data indicating that there is a reasonable prospect of effecting enforced collections from the debtor, having due regard for the exemptions available to the debtor under State and Federal law and the judicial remedies available to the Government.

g. The credit data may take the form of:

* A commercial credit report.

* An agency investigative report showing the debtor's assets and liabilities and income and expenses.

* The individual debtor's own financial statement executed under penalty of perjury reflecting his assets and liabilities and his income and expenses.

* An audited balance sheet of a corporate debtor.

h. Such credit data may be omitted if:

* A surety bond is available in an amount sufficient to satisfy the claim in full.

* The forced sale value of security available for application to the Government's claim is sufficient to satisfy its claim in full.

* The Administrator wishes to liquidate loan collateral through judicial foreclosure but does not desire a deficiency judgment.

* The debtor is in bankruptcy or receivership.

* The debtor's liability to the Government is fully covered by insurance, in which case the Administrator will furnish such information as he can develop concerning the identity and address of the insurer and the type and amount of insurance coverage.

14. REPORT OF PRIOR COLLECTION ACTION

a. A brief summary of action previously taken to collect or compromise a claim will be forwarded with the claim upon its referral to the General Accounting Office or to the Department of Justice.

b. If any of the administrative collection actions enumerated in this chapter have been omitted, the reason for their omission will be given with the referral.

c. The General Accounting Office and the Department of Justice may return or retain claims at their option when there is insufficient justification for the omission of one or more of the administrative collection actions enumerated in this chapter.

15. PRESERVATION OF EVIDENCE

Care will be taken to preserve all files, records and exhibits on all claims referred or to be referred to the General Accounting Office, or to the Department of Justice for litigation.

16. MINIMUM AMOUNT OF REFERRALS TO THE DEPARTMENT OF JUSTICE

Claims of less than $250, exclusive of interest, will not be referred to the Department of Justice for litigation unless referral is important to a significant enforcement policy or the debtor has the clear ability to pay the claim and the Government can effectively enforce payment.

17. REFERRALS TO THE GENERAL ACCOUNTING OFFICE

Referrals of claims to the General Accounting Office will be in accordance with instructions, including monetary limitations, contained in the General Accounting Office Policy and Procedural Manual for the Guidance of Federal Agencies.

OFFICE OF THE UNITED STATES ATTORNEY

_____District of _____

PROMISSORY NOTE CONTAINING AGREEMENT FOR JUDGMENT

$_____ _____, 19___

For value received, I (we jointly and severally) promise to pay to the order of the Treasurer of the United States the sum of _____ Dollars, with interest at the rate of _____ per annum, in monthly installments of not less than _____ Dollars each, payable at the _____ office of the United States Attorney for the _____ District of _____ on or before the first day of each calendar month until such obligation is fully paid. If any such installment shall remain unpaid for a period of ten days, the entire amount of this obligation, with interest, less payments actually made, shall thereupon become immediately due and payable at the option of said United States Attorney without demand or notice, said demand and notice being hereby expressly waived.

I (we) do hereby authorize and empower the said United States Attorney, any of his assistants, or any attorney of any court of record, State or Federal, to appear for me (us) and to enter and confess judgment against me (us) for the entire amount of this obligation, with interest, less payments actually made, at any time after the same becomes due and payable, as herein provided, in any court of record, Federal or State; to waive the issuance and service of process upon me (us) in any suit on this obligation; to waive any venue requirement in such suit; to release all errors which may intervene in entering up such judgment or in issuing any execution thereon; and to consent to immediate execution on said judgment.

I (we) hereby ratify and confirm all that said attorney may do by virtue hereof.

_____

_____

Figure XXIII-1--Confess-Judgment Note

UNITED STATES DEPARTMENT OF JUSTICE

FINANCIAL STATEMENT OF DEBTOR

(Submitted for Government action on claims due the United States)

1. Name _____ 2. Date of Birth (Mo. Day Yr.) _____

3. Address _____

4. Phone Number _____ 5. Social Security No. _____

6. Occupation _____ 7. How long in present employment? _____

8. Employer's Name _____

Address _____

Phone No. _____

9. Give name, address and phone number of other employers and dates of employment within last 3 years.

_____

_____

10. Monthly income: Salary or wages, $ _____

Commissions _____

Other (state source) _____

_____ Total $ _____

11. Name of Spouse _____ 12. Date of Birth (Mo. Day Yr.) _____

13. Occupation _____ 14. How long in present employment? _____

15. Spouse's Employer - Name _____

Address _____

Phone No. _____

16. Give name, address and phone number of spouse's other employers and dates of employment within last 3 years _____

_____

17. Monthly income of spouse: Salary or wages $ _____

Commissions _____

Other (state source) _____

_____ Total $ _____

18. Dependents: Number _____ Age and relationship _____

_____

_____

19. Total monthly income of dependents (except spouse) $ _____

20. For what period did you last file a Federal Income Tax Return _____

21. Where filed _____ 22. Amount of gross income reported _____

Figure XXIII-2--Financial Statement of Debtor
(Page 1 of 4)

23. Fixed monthly expenses: Rent $_____, Food $_____, Utilities $_____,

Interest $_____, Debt Repayments (including installments) $_____,

Other (specify) _____ $_____, _____

$_____, _____ $_____

Total fixed monthly charges $_____

24. Assets (Fair Market Value)

Cash $_____

Checking accounts:
(show location)
_____ $_____
_____ $_____

Savings accounts:
(show location)
_____ $_____
_____ $_____

Motor Vehicles:
Make:
Yr. License No.
_____ _____ $_____
_____ _____ $_____

Debts owed to you:
Name of debtor
_____ $_____
_____ $_____

Judgments owed to you:
Name of debtor
_____ $_____
_____ $_____

Stocks, bonds and other securities (itemize):
_____ $_____
_____ $_____
_____ $_____
_____ $_____
_____ $_____

Household furniture and goods $_____

Items Used in Trade or Business $_____

Other Personal Property (itemize):
_____ $_____
_____ $_____

Real Estate:
_____ $_____
_____ $_____
_____ $_____

Total Assets $_____

Liabilities

Bills owed (grocery, doctor, lawyer, etc.) $_____

Installment debt (car, furniture, clothing, etc.) $_____

Taxes owed:
Income $_____
Other (itemize):
_____ $_____
_____ $_____

Loans payable to (banks, finance companies, etc.) $_____

Judgments you owe $_____

Real estate mortgages $_____

Other debts (itemize):
_____ $_____
_____ $_____
_____ $_____

Total Liabilities $_____

Figure XXIII-2 (pg. 2 of 4)

25. Loans Payable:

Owed to	Purpose and date of Loan	Original Amount	Present Balance
_____	_____	$ _____	$ _____
_____	_____	$ _____	$ _____
_____	_____	$ _____	$ _____

26. Real Estate Owned:

Address _____

How owned (Jointly, individually, etc.) _____

Date acquired _____ Cost $ _____

27. Real Estate Being Purchased on Contract:

Address _____

Name of Seller _____ Contract Price $ _____

Next cash payment due: Date _____ Amount $ _____

28. Life Insurance Policies:

Company	Face Amount	Cash Surrender Value	Outstanding Loans
_____	$ _____	$ _____	$ _____
_____	$ _____	$ _____	$ _____
_____	$ _____	$ _____	$ _____

29. List all Real and Personal Property Owned by Spouse and Dependents valued in Excess of $200:

_____

_____

_____

_____

30. List all transfers of property, including cash (by loan, gift, sale, etc.), that you have made within the last 3 years. (List only transfers of $300 or over)

Date	Amount	Property Transferred	To Whom
_____	$ _____	_____	_____
_____	$ _____	_____	_____
_____	$ _____	_____	_____

31. Are you a party in any law suit now pending? _____ . If so, give details.

_____

_____

_____

_____

_____

Figure XXIII-2 (pg. 3 of 4)

32. Are you a trustee, executor, or administrator? _____ If so, give details. _____

_____

_____

_____

_____

33. Is anyone holding any moneys or property on your behalf? _____ If so, give details. _____

_____

_____

_____

_____

With knowledge of the penalties for false statements provided by 18 United States Code 1001 ($10,000 fine and/or five years imprisonment) and with knowledge that this financial statement is submitted by me to effect action by the Department of Justice, I certify that the above statement is true and that it is a complete statement of all my income and assets, real and personal, whether held in my name or by another.

_____ _____

Date *Signature*

Note: Use additional sheets where space on this form is insufficient.

Figure XXIII-2 (pg. 4 of 4)

ORDER

UMTA 1000.1

August 7, 1972

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

Internal Procedures Handbook

Appendices

LIST OF APPENDICES

1. Listing of Cancelled UMTA Orders
2. Urban Mass Transportation Act of 1964 as amended through October 15, 1970. (Also includes Reorganization Plan No. 2 of 1968)
3. UMTA Organization Charts
4. Required Third-Party Contract Clauses
5. Sample Format for a Capital Improvement Grant Application
6. Contract Compliance and Title VI Manual for Civil Rights Specialists
7. Requirements Imposed on UMTA Grant Projects Involving Relocation by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
8. Government Patent Policy
9. Agreement Between HUD and DOT
10. Outline for Technical Studies Grant Application
11. HUD-Urban Mass Transportation Planning Requirements Guide
12. Executive Order 11246 (9/24/65)
13. Listing of DOT Orders and OMB Circulars Referenced in Internal Procedures Handbook
14. Grant Approval Package Uniformity

UMTA ORDERS CANCELLED BY INTERNAL PROCEDURES HANDBOOK

Number	Date	Subject
UMTA 1320.2	12-10-68	Congressional Correspondence
UMTA 1340.2	7-14-69	Approval of Grants by Administrator
UMTA 1500.1(b)	11-19-70	UMTA Travel Regulations and Procedures
UMTA 2400.1	12-12-69	UMTA Planning-Programming-Budgeting System
UMTA 2770.1	11-3-70	Administrative Collection of Claims
UMTA 2900.1	4-8-70	Processing Program Audit Findings
UMTA 2900.2	12-1-70	Final Audit Requirements for UMTA Contracts and Inter-Agency Agreements
UMTA 2900.3	11-3-71	Audits of Third-Party Contracts Awarded Pursuant to UMTA Grant Programs
UMTA 3300.1	4-27-72	Interviews of Out-of-Town Applicants
UMTA 3400.1	7-7-71	Merit Promotion Program (MPP)
UMTA 3600.1A	7-13-71	Time and Attendance (T&A)
UMTA 3700.2	4-15-69	Employee Responsibilities and Conduct
UMTA 4200.1	3-28-69	Authority to Make Contractual Commitments
UMTA 4200.2a	7-8-71	Unsolicited Contract Proposals
UMTA 4200.3(a)	4-1-70	Sole-Source Procurement
UMTA 4400.1	4-13-71	Personal Property Management

Number	Date	Subject
UMTA 4400.2	6-30-72	Delegation of Authority to Review Proposed Awards
UMTA 5610.1	2-1-72	Implementation of Section 102(2)(c) of the National Environmental Policy Act of 1969, Section 4(f) of the Department of Transportation Act, Section 106 of the Historic Preservation Act, and Sections 3(d) and 14 of the Urban Mass Transportation Act of 1964.
UMTA 6520.1	10-1-69	Translation of UMTA RD&D Efforts into Action Programs
UMTA 6520.2	9-11-69	Processing and Coordination of New Applications
UMTA 6520.4	6-17-71	Third-Party Contract Review Board
UMTA 6540.2	6-19-71	Grant Management Procedures
UMTA 6540.3 and Change 1	8-12-71 10-18-71	Procedures for Requesting Final Audit and Closing Out Procedures
UMTA 6550.1	7-30-69	UMTA Construction Project Inspections

URBAN MASS TRANSPORTATION ACT OF 1964

And Related Laws
As Amended Through January 1, 1972

U.S. DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

FOREWORD

This pamphlet sets forth the statutes authorizing and governing the conduct of the Federal urban mass transportation program as of January 1, 1972. The basic authorizing law is the Urban Mass Transportation Act of 1964 (the Act), which has been most significantly amended by Public Law 89-562 (enacted in 1966), Public Law 90-448 (Housing and Urban Development Act of 1968), and Public Law 91-453 (Urban Mass Transportation Assistance Act of 1970). All amendments have been included in the text of the Act and have been footnoted to identify precisely what changes have been made and their statutory sources. Certain portions of the Act have been deleted from the text and placed in footnotes because the editor judged that the authority conveyed by them is no longer operative due to changes in the law or the occurrence of certain events. Additional footnotes have been included which serve to relate the provisions of the Act to other relevant legal authorities which condition, clarify, or supplement their operation. All footnotes are set forth at the back of this pamphlet, beginning on page 38.

Excerpts from other legal authorities which significantly affect the Federal role in the field of urban mass transportation are set forth as appendices, which are referred to in appropriate footnotes to the Act.

Laws referred to in this pamphlet are cited primarily by their Public Law number, although the Statutes at Large citation is used for laws enacted prior to 1957. The table begining on page 53 contains the citations to the Public Laws, Statutes at Large, United States Code, as well as the popular names and dates of enactment, for the significant statutes referred to elsewhere in the pamphlet.

TABLE OF CONTENTS

	Page
FOREWARD	(i)
URBAN MASS TRANSPORTATION ACT OF 1964	1
APPENDICES	16-37
A. Additional Provisions of the Urban Mass Transportation Assistance Act of 1970	16
B. Additional Assistance for Bus and Parking Projects	18
C. Areawide Project Review	21
D. Intergovernmental Coordination of Development Activities	23
E. Protection of the Environment	24
F. Protection of Public Lands	27
G. Apportionment of Budget Authorities	28
H. Excerpts from the Housing Act of 1950	30
I. Non-Discrimination in Federally Assisted Programs	33
J. Transfer of Functions from HUD to DOT	35
FOOTNOTES	38
TABLE OF STATUTORY REFERENCES	53

URBAN MASS TRANSPORTATION ACT OF 1964
Public Law 88-365, 78 Stat. 302, 49 U.S.C. 1601

AN ACT

To authorize the Secretary of Transportation [1] to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Mass Transportation Act of 1964."

FINDINGS AND PURPOSES [2]

SECTION 2. (a) The Congress finds-

(1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;

(2) that the welfare and vitality of urban areas, the satisfactory movement of people and goods within such areas, and the effectiveness of housing, urban renewal, highway, and other federally aided programs are being jeopardized by the deterioration or inadequate provision of urban transportation facilities and services, the intensification of traffic congestion, and the lack of coordinated transportation and other development planning on a comprehensive and continuing basis; and

(3) that Federal financial assistance for the development of efficient and coordinated mass transportation systems is essential to the solution of these urban problems.

(b) The purposes of this Act are-

(1) to assist in the development of improved mass transportation facilities, equipment, techniques, and methods, with the cooperation of mass transportation companies both public and private;

(2) to encourage the planning and establishment of areawide urban mass transportation systems needed for economical and desirable urban development, with the cooperation of mass transportation companies both public and private; and

(3) to provide assistance to State and local governments and their instrumentalities in financing such systems, to be operated by public or private mass transportation companies as determined by local needs.

FEDERAL FINANCIAL ASSISTANCE [3]

SECTION 3. [4] (a) The Secretary is authorized, in accordance with the provisions of this Act and on such terms and conditions as he may prescribe to make grants or loans (directly, through the purchase of securities or equipment trust certificates, or otherwise) to assist States and local public bodies and agencies thereof in financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas and in coordinating such service with highway and other transportation in such areas. Eligible facilities and equipment may include land (but not public highways), buses and other rolling stock, and other real and personal property needed for an efficient and coordinated mass transportation system. No grant or loan shall be provided under this section unless the Secretary determines that the applicant has or will have

(1) the legal, financial, and technical capacity to carry out the proposed project; and

(2) satisfactory continuing control, through operation or lease or otherwise, over the use of the facilities and equipment.

The Secretary may make loans for real property acquisition pursuant to subsection (b) upon a determination, which shall be in lieu of the preceding determination, that the real property is reasonably expected to be required in connection with a mass transportation system and that it will be used for that purpose within a reasonable period. No grant or loan funds shall be used for payment of ordinary governmental or nonproject operating expenses. An applicant for assistance under this section for a project located wholly or partly in a State in which there is statewide comprehensive transportation planning shall

furnish a copy of its application to the Governor of each State affected concurrently with submission to the Secretary. If within 30 days thereafter, the Governor submits comments to the Secretary, the Secretary must consider the comments before taking final action on the application. 5/

(b) The Secretary is authorized to make loans under this section to States or local public bodies and agencies thereof to finance the acquisition of real property and interests in real property for use as rights-of-way, station sites, and related purposes, on urban mass transportation systems, including the net cost of property management and relocation payments made pursuant to section 7. 6/ Each loan agreement under this subsection shall provide for actual construction of urban mass transportation facilities on acquired real property within a period not exceeding ten years following the fiscal year in which the agreement is made. Each agreement shall provide that in the event acquired real property or interests in real property are not to be used for the purposes for which acquired, an appraisal of current value will be made at the time of that determination, which shall not be later than ten years following the fiscal year in which the agreement is made. Two-thirds of the increase in value, if any, over the original cost of the real property shall be paid to the Secretary for credit to miscellaneous receipts of the Treasury. Repayments of amounts loaned shall be credited to miscellaneous receipts of the Treasury. A loan made under this subsection shall be repayable within ten years from the date of the loan agreement or on the date a grant agreement for actual construction of facilities on the acquired real property is made, whichever date is earlier. A grant agreement for construction of facilities under this Act may provide for forgiveness of the repayment of the principal and accrued interest on the loan then outstanding in lieu of a cash grant in the amount thus forgiven, which for all purposes shall be considered a part of the grant and of the Federal portion of the cost of the project. An applicant for assistance under this subsection shall furnish a copy of its application to the comprehensive planning agency of the community affected concurrently with submission to the Secretary. If within thirty days thereafter (or, in a case where the comprehensive planning agency of the community (during such thirty-day period) requests more time, within such longer period as the Secretary may determine) the comprehensive planning agency of the community affected submits comments to the Secretary, the Secretary must consider the comments before taking final action on the application.

(c) No loan shall be made under this section for any project for which a grant is made under this section, except-

(1) loans may be made for projects as to which grants are made for relocation payments; and

(2) project grants may be made even though the real property involved in the project has been or will be acquired as a result of a loan under subsection (b).

Interest on loans made under this section shall be at a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans adjusted to the nearest one-eighth of 1 per centum, plus (ii) an allowance adequate in the judgment of the Secretary of Transportation to cover administrative costs and probable losses under the program. No loans shall be made, including renewals or extensions thereof, and no securities or obligations shall be purchased which have maturity dates in excess of forty years.

(d) Any application for a grant or loan under this Act to finance the acquisition, construction, reconstruction, or improvement of facilities or equipment which will substantially affect a community or its mass transportation service shall include a certification that the applicant-

(1) has afforded an adequate opportunity for public hearings pursuant to adequate prior notice, and has held such hearings unless no one with a significant economic, social, or environmental interest in the matter requests a hearing;

(2) has considered the economic and social effects of the project and its impact on the environment; and

(3) has found that the project is consistent with official plans for the comprehensive development of the urban area. 5/

Notice of any hearings under this subsection shall include a concise statement of the proposed project, and shall be published in a newspaper of general circulation in the

geographic area to be served. If hearings have been held, a copy of the transcript of the hearings shall be submitted with the application. 7/

(e) 8/ No financial assistance shall be provided under this Act to any State or local public body or agency thereof for the purpose, directly or indirectly, of acquiring any interest in, or purchasing any facilities or other property of a private mass transportation company, or for the purpose of constructing, improving, or reconstructing any facilities or other property acquired (after the date of the enactment of this Act) from any such company, or for the purpose of providing by contract or otherwise for the operation of mass transportation facilities or equipment in competition with, or supplementary to, the service provided by an existing mass transportation company, unless (1) the Secretary finds 9/ that such assistance is essential to a program, proposed or under active preparation, for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, (2) the Secretary finds that such program, to the maximum extent feasible, provides for the participation of private mass transportation companies, 10/ (3) just and adequate compensation will be paid to such companies for acquisition of their francises or property to the extent required by applicable State or local laws, and (4) the Secretary of Labor certifies that such assistance complies with the requirements of section 13(c) of this Act.

LONG-RANGE PROGRAM

SECTION 4. (a) Except as specified in section 5, no Federal financial assistance shall be provided pursuant to subsection (a) of section 3 unless the Secretary determines 9/ that the facilities and equipment for which the assistance is sought are needed for carrying out a program, meeting criteria established by him, for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area, and are necessary for the sound, economic, and desirable development of such area. 5/ Such program shall encourage to the maximum extent feasible the participation of private enterprise. Where facilities and equipment are to be acquired which are already being used in mass transportation service in the urban area, the program must provide that they shall be so improved (through modernization, extension, addition, or otherwise) that they will better serve the transportation needs of the area. The Secretary, on the

basis of engineering studies, studies of economic feasibility, and data showing the nature and extent of expected utilization of the facilities and equipment, shall estimate what portion of the cost of a project to be assisted under section 3 cannot be reasonably financed from revenues--which portion shall hereinafter be called "net project cost." The Federal grant for such a project shall not exceed two-thirds of the net project cost. The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Such remainder may be provided in whole or in part from other than public sources, and any public or private transit system funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant. 11/

(b) To finance grants under this Act there is hereby authorized to be appropriated at any time after its enactment not to exceed $75,000,000 for fiscal year 1965; $150,000,000 for fiscal year 1966; $150,000,000 for each of the fiscal years 1967, 1968, and 1969; $190,000,000 for fiscal year 1970; and $300,000,000 for fiscal year 1971. 12/ Any amount so appropriated shall remain available until expended; and any amount authorized but not appropriated for any fiscal year may be appropriated for any succeeding fiscal year. The Secretary is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, 13/ as amended, to make advance or progress payments on account of any grant or contract 14/ made pursuant to this Act.

(c) To finance grants and loans under sections 3, 7(b), 6/ and 9 of this Act, the Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements or otherwise in amounts aggregating not to exceed $3,100,000,000, less amounts appropriated pursuant to section 12(d) of this Act and the amount appropriated to the Urban Mass Transportation Fund by Public Law 91-168. 15/ This amount (which shall be in addition to any amounts available to finance such activities under subsection (b) of this section) shall become available for obligation upon the effective date of this subsection and shall remain available until obligated. 16/ There are authorized to be appropriated for liquidation of the obligations incurred under this subsection not to exceed $80,000,000 prior to July 1, 1971, which amount may be increased to not to exceed an aggregate of $310,000,000 prior to July 1, 1972, not to exceed an aggregate of $710,000,000 prior to July 1, 1973, not to exceed an aggregate of $1,260,000,000

prior to July 1, 1974, not to exceed an aggregate of $1,860,000,000 prior to July 1, 1975, and not to exceed an aggregate of $3,100,000,000 thereafter. The total amounts appropriated under this subsection and section 12(d) of this Act shall not exceed the limitations in the foregoing schedule. 17/ Sums so appropriated shall remain available until expended. 18/

(d) The Secretary shall report annually to the Congress, with respect to outstanding grants or other contractual agreements executed pursuant to subsection (c) of this section. To assure program continuity and orderly planning and project development, the Secretary, after consultation with State and local public agencies, shall submit to the Congress (1) authorization requests for fiscal years 1976 and 1977 not later than February 1, 1972, (2) authorization requests for fiscal years 1978 and 1979 not later than February 1, 1974, (3) authorization requests for fiscal years 1980 and 1981 not later than February 1, 1976, and (4) an authorization request for fiscal year 1982 not later than February 1, 1978. Such authorization requests shall be designed to meet the Federal commitment specified in the first section of the Urban Mass Transportation Assistance Act of 1970. 19/ Concurrently with these authorization requests, the Secretary shall also submit his recommendations for any necessary adjustments in the schedule for liquidation of obligations.

EMERGENCY PROGRAM

SECTION 5. Prior to July 1, 1972, 20/ Federal financial assistance may be provided pursuant to section 3 where (1) the program for the development of a unified or officially coordinated urban transportation system, 5/ referred to in section 4(a), is under active preparation although not yet completed, (2) the facilities and equipment for which the assistance is sought can reasonably be expected to be required for such a system, and (3) there is an urgent need for their preservation or provision. 9/ The Federal grant for such a project shall not exceed one-half of the net project cost: Provided, that where a Federal grant is made on such a one-half basis, and the planning requirements specified in section 4(a) are fully met within a 3-year period after execution of the grant agreement, and additional grant may then be made to the applicant equal to one-sixth of the next project cost. The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Such

remainder may be provided in whole or in part from other than public sources, and any public or private transit system funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant. 11/

RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECTS

SECTION 6. The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation (including the development, testing, and demonstration of new facilities, equipment, techniques, and methods) which he determines will assist in the reduction of urban transportation needs, the improvement of mass transportation service, or the contribution of such service toward meeting total urban transportation needs at minimum cost. He may undertake such projects independently or by grant or 21/ contract (including working agreements with other Federal departments and agencies). In carrying out the provisions of this section, the Secretary is authorized to request and receive such information or data as he deems appropriate from public or private sources. 22/

RELOCATION REQUIREMENTS AND PAYMENTS

SECTION 7. (a) No financial assistance shall be extended to any project under section 3 unless the Secretary determines that an adequate relocation program is being carried on for families displaced by the project and that there are being or will be provided (in the same area or in other areas generally not less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the displaced families) an equal number of decent, safe and sanitary dwellings available to those displaced families and reasonably accessible to their places of employment. 23/

SECTION 8. [COORDINATION OF FEDERAL ASSISTANCE FOR HIGHWAYS AND FOR MASS TRANSPORTATION FACILITIES] 24/

GRANTS FOR TECHNICAL STUDIES

SECTION 9. The Secretary is authorized to make grants to STATES and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be

included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made. 25/

GRANTS FOR MANAGERIAL TRAINING PROGRAMS

SECTION 10. (a) The Secretary is authorized to make grants to States, local bodies, and agencies thereof to provide fellowships for training of personnel employed in managerial, technical, and professional positions in the urban mass transportation field. Fellowships shall be for not more than one year of advanced training in public or private nonprofit institutions of higher education offering programs of graduate study in business or public administration, or in other fields having application to the urban mass transportation industry. The State, local body, or agency receiving a grant under this section shall select persons for such fellowships on the basis of demonstrated ability and for the contribution which they can reasonably be expected to make to an efficient mass transportation operation. Not more than one hundred fellowships shall be awarded in any year. The grant assistance under this section toward each such fellowship shall not exceed $12,000, nor 75 per centum of the sum of (1) tuition and other charges to the fellowship recipient, (2) any additional costs incurred by the educational institution in connection with the fellowship and billed to the grant recipient, and (3) the regular salary of the fellowship recipient for the period of the fellowship (to the extent that salary is actually paid or reimbursed by the grant recipient).

(b) Not more than 12-1/2 per centum of the fellowships authorized pursuant to subsection (a) shall be awarded for the training of employees of mass transportation companies in any one State. 25/, 26/

GRANTS FOR RESEARCH AND TRAINING
IN URBAN TRANSPORTATION PROBLEMS

SECTION 11. (a) The Secretary is authorized to make grants to public and private nonprofit institutions of higher learning to assist in establishing or carrying on comprehensive research in the problems of transportation in urban areas. Such grants shall be used to conduct competent and qualified research and investigations into the theoretical or practical problems of urban transportation, or both, and to provide for the training of persons to carry on further research or to obtain employment in private or public organizations which plan, construct, operate, or manage urban transportation systems. Such research and investigations may include, without being limited to, the design and functioning of urban mass transit systems; the design and functioning of urban roads and highways; the interrelationship between various modes of urban and inter-urban transportation; the role of transportation planning in overall urban planning; public preferences in transportation; the economic allocation of transportation resources; and the legal, financial, engineering, and esthetic aspects of urban transportation. In making such grants, the Secretary shall give preference to institutions of higher learning that undertake such research and training by bringing together knowledge and expertise in the various social science and technical disciplines that relate to urban transportation problems. 25/, 26/

GENERAL PROVISIONS

SECTION 12. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Secretary shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402, except subsections (c)(2) and (f), of the Housing Act of 1950. 27/ Funds obtained or held by the Secretary in connection with the performance of his functions under this Act shall be available for the administrative expenses of the Secretary in connection with the performance of such functions.

(b) All contracts for construction, reconstruction, or improvement of facilities and equipment in furtherance of the purposes for which a loan or grant is made under this Act, entered into by applicants under other than competitive bidding procedures as defined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized

representatives, shall, for the purpose of audit and examination, have access to any books, documents, papers, and records of the contracting parties that are pertinent to the operations or activities under such contracts. 28/

(c) 29/ As used in this Act-

(1) the term "States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States;

(2) the term "local public bodies" includes municipalities and other political subdivisions of States; public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States; and public corporations, boards, and commissions established under the laws of any State;

(3) the term "Secretary" means the Secretary of Transportation;

(4) the term "urban area" means any area that includes a municipality or other built-up place which is appropriate, in the judgment of the Secretary, for a public transportation system to serve commuters or others in the locality taking into consideration the local patterns and trends of urban growth; and

(5) the term "mass transportation" means transportation by bus, or rail or other conveyance, either publicly or privately owned, which provides to the public general or special service (but not including school buses or charter or sightseeing service) on a regular and continuing basis. 30/

(d) There are hereby authorized to be appropriated, without fiscal year limitation out of any money in the Treasury not otherwise appropriated, the funds necessary to carry out the functions under this Act. 31/

(e) None of the provisions of this Act shall be construed to authorize the Secretary to regulate in any manner the mode of operation of any mass transportation system with respect to which a grant is made under section 3 or, after such grant is made, to regulate the rates, fares, tolls, rentals, or other charges fixed or prescribed for such system by any local public or private transit agency; but nothing in this subsection shall prevent the Secretary from taking such actions as may be

necessary to require compliance by the agency or agencies involved with any undertaking furnished by such agency or agencies in connection with the application for the grant. 25/

LABOR STANDARDS

SECTION 13. (a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of loans or grants under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary shall not approve any such loan or grant without first obtaining adequate assurance that required labor standards will be maintained upon the construction work.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

(c) It shall be a condition of any assistance under section 3 32/ of this Act that fair and equitable arrangements are made, as determined by the Secretary of Labor, to protect the interests of employees affected by such assistance. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended. The contract for the granting of any such assistance shall specify the terms and conditions of the protective arrangements. 25/, 33/

ENVIRONMENTAL PROTECTION 34/

SECTION 14. (a) It is hereby declared to be the national policy that special effort shall be made to preserve the natural beauty of the countryside, public park and recreation lands, wildlife and waterfowl refuges, and important historical and cultural assets, in the planning, designing, and construction of urban mass transportation projects for which Federal assistance is provided pursuant to section 3 of this Act. In implementing this policy the Secretary shall cooperate and consult with the Secretaries of Agriculture, Health, Education, and Welfare, Housing and Urban Development, and Interior, and with the Council on Environmental Quality with regard to each project that may have a substantial impact on the environment. 5/

(b) The Secretary shall review each transcript of hearing submitted pursuant to section 3(d) to assure that an adequate opportunity was afforded for the presentation of views by all parties with a significant economic, social, or environmental interest, and that the project application includes a detailed statement on-

(1) the environmental impact of the proposed project,

(2) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(3) alternatives to the proposed project, and

(4) any irreversible and irretrievable impact on the environment which may be involved in the proposed project should it be implemented.

(c) The Secretary shall not approve any application for assistance under section 3 unless he finds in writing, after a full and complete review of the application and of any hearings held before the State and local public agency pursuant to section 3(d), that (1) adequate opportunity was afforded for the presentation of views by all parties with a significant economic, social, or environmental interest, and fair consideration has been given to the preservation and enhancement of the environment and to the interest of the community in which the project is located, and (2) either no adverse environmental effect is likely to result from such project, or there exists no feasible and prudent alternative to such effect and all reasonable steps have been taken to minimize such effect. In any case in which a hearing has

been held before the State or local agency pursuant to section 3(d), or in which the Secretary determines that the record of hearings before the State or local agency is inadequate to permit him to make the findings required under the preceding sentence, he shall conduct hearings, after giving adequate notice to interested persons, on any environmental issues raised by such application. Findings of the Secretary under this subsection shall be made a matter of public record. 7/, 35/

STATE LIMITATION

SECTION 15. Grants made under section 3 on or after July 1, 1970, for projects in any one State may not exceed in the aggregate 12-1/2 per centum of the aggregate amount of grant funds authorized to be obligated under subsection 4(c), except that 15 per centum of the aggregate amount of grant funds authorized to be obligated under subsection 4(c) may be used by the Secretary, without regard to this limitation, for grants in States where more than two-thirds of the maximum amounts permitted under this section has been obligated. In computing State limitations under this section, grants for relocation payments shall be excluded. Any grant made under section 3 to a local public body or agency in a major metropolitan area which is used in whole or in part to provide or improve urban mass transportation service, pursuant to an interstate compact approved by the Congress, in a neighboring State having within its boundaries population centers within normal commuting distance from such major metropolitan area, shall, for purposes of computing State limitations under this section, be allocated on an equitable basis, in accordance with regulations prescribed by the Secretary, between the State in which such public body or agency is situated and such neighboring State. 36/

PLANNING AND DESIGN OF MASS TRANSPORTATION FACILITIES TO MEET SPECIAL NEEDS OF THE ELDERLY AND THE HANDICAPPED

SECTION 16. (a) It is hereby declared to be the national policy that elderly and handicapped persons have the same right as other persons to utilize mass transportation facilities and services; that special efforts shall be made in the planning and design of mass transportation facilities and services so that the availability to elderly and handicapped persons of mass transportation which they can effectively utilize will be assured; and that all Federal programs offering assistance in the field of mass transportation (including the programs under this Act) should contain provisions implementing this policy.

(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants or loans for the specific purpose of assisting States and local public bodies and agencies thereof in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons. Grants and loans made under the preceding sentence shall be subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a), and shall be considered for the purposes of all other laws to have been made under such section. Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 1-1/2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs).

(c) Of any amounts made available to finance research, development, and demonstration projects under section 6 after the date of the enactment of this section, 1-1/2 per centum may be set aside and used exclusively to increase the information and technology which is available to provide improved transportation facilities and services planned and designed to meet the special needs of elderly and handicapped

(d) For purposes of this Act, the term "handicapped person" means any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected. 37/

APPENDIX A

ADDITIONAL PROVISIONS OF THE URBAN MASS TRANSPORTATION ASSISTANCE ACT OF 1970 [38/]

(P.L. 91-453, 84 Stat. 962)

An Act

To provide long-term financing for expanded urban mass transportation programs, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the rapid urbanization and the continued dispersal of population and activities within urban areas has made the ability of all citizens to move quickly and at a reasonable cost an urgent national problem; that it is imperative, if efficient, safe, and convenient transportation compatible with soundly planned urban areas is to be achieved, to continue and expand the Urban Mass Transportation Act of 1964; and that success will require a Federal commitment for the expenditure of at least $10,000,000,000 over a twelve-year period, to permit confident and continuing local planning and greater flexibility in program administration. It is the purpose of this Act to create a partnership which permits the local community, through Federal financial assistance, to exercise the initiative necessary to satisfy its urban mass transportation requirements.

SECTION 9. The Secretary of Transportation shall conduct a study of the feasibility of providing Federal assistance to help defray the operating costs of mass transportation companies in urban areas and of any changes in the Urban Mass Transportation Act of 1964 which would be necessary in order to provide such assistance, and shall report his findings and recommendations to the Congress within one year after the date of the enactment of this Act.

SECTION 10. The Secretary of Transportation shall in all ways (including the provision of technical assistance) encourage industries adversely affected by reductions in Federal Government spending on space, military, and other Federal projects to compete for the contracts provided for under sections 3 and 6 of the Urban Mass Transportation Act of 1964, as amended by this Act.

SECTION 11. Nothing in this Act shall affect the authority of the Secretary of Housing and Urban Development to make grants, under the authority of sections 6(a), 9, and 11 of the Urban Mass Transportation Act of 1964, as amended and Reorganization Plan Numbered 2 of 1968, 39/ for projects or activities primarily concerned with the relationship of urban transportation systems to the comprehensively planned development of urban areas, of the role of transportation planning in overall urban planning, out of funds appropriated to him for that purpose.

SECTION 12. Section 5316 of title 5, United States Code, is amended by inserting the following after paragraph (129): "(130) Deputy Administrator, Urban Mass Transportation Administration, Department of Transportation."

SECTION 14. This Act may be cited as the "Urban Mass Transportation Assistance Act of 1970."

APPENDIX B

ADDITIONAL ASSISTANCE FOR BUS AND PARKING PROJECTS

EXCERPTS FROM FEDERAL-AID HIGHWAY ACT OF 1970
(P.L.91-605, 84 Stat. 1713, 23 U.S.C. 142 and 137)

URBAN HIGHWAY PUBLIC TRANSPORTATION

SECTION 111. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof a new section as follows:

"§142. Urban highway public transportation

"(a) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles on highways, other than on rails, for the transportation of passengers (hereinafter in this section referred to as 'buses') within urbanized areas so as to increase the traffic capacity of the Federal-aid systems, sums apportioned in accordance with paragraphs (3), (5), and (6) of subsection (b) of section 104 of this title shall be available to finance the Federal share of the costs of projects for the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities, including shelters, and fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers.

"(b) The establishment of routes and schedules of such public mass transportation systems shall be based upon a continuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

"(c) For all purposes of this title, a project authorized by subsection (a) of this section shall be deemed to be a highway project, and, except as provided in subsection (d) of this section, the Federal share payable on account of such project shall be that provided in section 120 of this title.

"(d) No project authorized by this section, other than a project for fringe or transportation corridor parking facilities, shall be approved unless--

"(1) such project (A) will avoid the construction of a highway project under this title which increases automobile traffic capacity, (B) will provide a capacity for the the movement of persons at least equal to that which would be provided by the avoided highway project, and (C) will not exceed in the amount of the Federal share, the Federal share of the cost of the avoided highway project; or

"(2) no other feasible or prudent highway project can provide the additional capacity for the movement of persons by motor vehicles on highways (other than on rails) provided by this project.

"(e) No project authorized by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will have adequate capability to fully utilize the proposed project."

FRINGE AND CORRIDOR PARKING FACILITIES

SECTION 134. (a) Section 137 of title 23, United States Code, is amended to read as follows:

"§137. Fringe and corridor parking facilities

"(a) The Secretary may approve as a project on the Federal-aid urban system the acquisition of land adjacent to the right-of-way outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve an urban area of fifty thousand population or more. Such parking facility shall be located and designed in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

"(b) The Secretary shall not approve any project under this section until--

"(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or any agency or instrumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

"(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality, including necessary requirements to insure that adequate public transportation services will be available to persons using such facility; and

"(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

"(c) The term 'parking facilities' for purposes of this section shall include access roads, buildings, structures, equipment, improvements, and interest in lands.

"(d) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

"(e) The Secretary shall not approve any project under this section unless he determines that it is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title."

APPENDIX C

AREAWIDE PROJECT REVIEW [5/]

EXCERPTS FROM THE DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966
(P.L. 89-754, 80 Stat. 1261, 42 U.S.C. 3301)

COORDINATION OF FEDERAL AID IN METROPOLITAN AREAS

SECTION 204. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review--

(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

(b) (1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the

statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph (1) of this subsection if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

(c) The Office of Management and Budget[40/], or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section.

APPENDIX D

INTERGOVERNMENTAL COORDINATION OF DEVELOPMENT ACTIVITIES 5/

EXCERPTS FROM INTERGOVERNMENTAL COOPERATION ACT OF 1968 (P.L. 90-577, 82 Stat. 1103, 42 U.S.C. 4231 et seq.)

DECLARATION OF DEVELOPMENT ASSISTANCE POLICY

SECTION 401. (b) All viewpoints—national, regional, State, and local—shall, to the extent possible, be fully considered and taken into account in planning Federal or federally assisted development programs and projects. State and local government objectives, together with the objectives of regional organizations shall be considered and evaluated within a framework of national public objectives, as expressed in Federal law, and available projections of future national conditions and needs of regions, States, and localities shall be considered in plan formulation, evaluation, and review.

(c) To the maximum extent possible, consistent with national objectives, all Federal aid for development purposes shall be consistent with and further the objectives of State, regional, and local comprehensive planning. Consideration shall be given to all developmental aspects of our total national community, including but not limited to housing, transportation, economic development, natural and human resources development, community facilities, and the general improvement of living environments.

(d) Each Federal department and agency administering a development assistance program shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

(e) Insofar as possible, systematic planning required by individual Federal programs (such as highway construction, urban renewal, and open space) shall be coordinated with and, to the extent authorized by law, made part of comprehensive local and areawide development planning.

FAVORING UNITS OF GENERAL LOCAL GOVERNMENT

SECTION 402. Where Federal law provides that both special-purpose units of local government and units of general local government are eligible to receive loans or grants-in-aid, heads of Federal departments and agencies shall, in the absence of substantial reasons to the contrary, make such loans or grants-in-aid to units of general local government rather than to special-purpose units of local government.

APPENDIX E

PROTECTION OF THE ENVIRONMENT

EXCERPTS FROM THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

(P.L. 91-190, 83 Stat. 852, 42 U.S.C.A. 4321)

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SECTION 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may--

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resource and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SECTION 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with policies set forth in this Act, and (2) all agencies of the Federal Government shall--

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision making along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on--

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternatives uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, counties, municipalities, institutions,and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

SECTION 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SECTION 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

APPENDIX F

PROTECTION OF PUBLIC LANDS

EXCERPTS FROM THE DEPARTMENT OF TRANSPORTATION ACT (P.L. 89-670, 80 Stat. 931, 49 U.S.C. 1653)

SECTION 4(f) It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of the Federal-Aid Highway Act of 1968, the Secretary shall not approve any program or project which requires the use of any publicly-owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use. 41/

APPENDIX G

APPORTIONMENT OF BUDGET AUTHORITIES

EXCERPTS FROM SECTION 3679 OF THE REVISED STATUTES

(31 U.S.C. 665)

(c)(1)---All appropriations or funds not limited to a definite period of time, and all authorizations to create obligations by contract in advance of appropriations, shall be so apportioned as to achieve the most effective and economical use thereof. As used hereafter in this section, the term "appropriation" means appropriations, funds, and authorizations to create obligations by contract in advance of appropriations.

(2) In apportioning any appropriation, reserves may be established to provide for contingencies, or to effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other develments subsequent to the date on which such appropriation was made available. Whenever it is determined by an officer designated in subsection (d) of this section to make apportionments and reapportionments that any amount so reserved will not be required to carry out the purposes of the appropriation concerned, he shall recommend the rescission of such amount in the manner provided in the Budget and Accounting Act, 1921, for estimates of appropriations.

(3) Any appropriation subject to apportionment shall be distributed by months, calendar quarters, operating seasons, or other time periods, or by activities, functions, projects, or objects, or by a combination thereof, as may be deemed appropriate by the officers designated in subsection (d) of this section to make apportionments and reapportionments. Except as otherwise specified by the officer making the apportionment, amounts, so apportioned shall remain available for obligation, in accordance with the terms of the appropriation, on a cumulative basis unless reapportioned.

(4) Apportionments shall be reviewed at least four times each year by the officers designated in subsection (d) of this section to make apportionments and reapportionments, and such reapportionments made or such reserves established, modified, or released as may be necessary to further the effective use of the appropriation concerned, in accordance with the purposes stated in paragraph (1) of this subsection.

(d)(2) Any appropriation available to an agency, which is required to be apportioned under subsection (c) of this section, shall be apportioned or reapportioned in writing by the Director of the Office of Management and Budget. 40/ The head of each agency to which any such appropriation is available shall submit to the Office of Management and Budget information, in such form and manner and at such time or times as the Director may prescribe, as may be required for the apportionment of such appropriation. Such information shall be submitted not later than forty days before the beginning of any fiscal year for which the appropriation is available, or not more than fifteen days after approval of the Act by which such appropriation is made available whichever is later. The Director of the Office of Management and Budget shall apportion each such appropriation and shall notify the agency concerned of his action not later than twenty days before the beginning of the fiscal year for which the appropriation is available, or not more than thirty days after the approval of the Act by which such appropriation is made available, whichever is later. When used in this section, the term "agency" means any executive department, agency, commission, authority, administration, board, or other independent establishment in the executive branch of the Government.....

APPENDIX H

EXCERPTS FROM THE HOUSING ACT OF 1950
(Public Law 78-469, 64 Stat. 48, 12 U.S.C. 1749a)

SECTION 402. Powers and Duties of Secretary.--Preparation and submission of budget; maintenance of accounts.

(a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this subchapter, the Secretary, notwithstanding the provisions of any other law, shall--

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act,42/ as amended; and

(2) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Secretary as the making of loans and vouchers approved by the Secretary in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

DISPOSITION OF FUNDS; ADMINISTRATIVE EXPENSES

(b) Funds made available to the Secretary pursuant to the provisions of this subchapter shall be deposited in a checking account or accounts with the Treasurer of the United States. Receipts and assets obtained or held by the Secretary in connection with the performance of his functions as the Secretary under this subchapter (including appropriations therefor, which are authorized), shall be available, in such amounts as may from year to year be authorized by the Congress, for the administrative expenses of the Secretary in connection with the performance of such functions.

GENERAL FUNCTIONS OF SECRETARY

(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this subchapter, the Secretary, notwithstanding the provisions of any other law, may--

(1) prescribe such rules and regulations as may be necessary to carry out the purposes of this subchapter;

(2) . . . . . .

(3) sue and be sued;

(4) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a loan pursuant to this subchapter. In the event of any such acquisition, the Secretary may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease and otherwise deal with, such property: *Provided,* That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

(6) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations; upon such terms as he may fix;

(7) obtain insurance against loss in connection with property and other assets held;

(8) subject to the specific limitations in this subchapter, consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, or any other term of any contract or agreement to which he is a party or which has been transferred to him pursuant to this subchapter; and

(9) include in any contract or instrument made pursuant to this subchapter such other covenants, conditions, or provisions as he may deem necessary to assure that the purposes of this subchapter will be achieved.

(e) The provisions of section 870 of Title 31, [43/] which are applicable to corporations or agencies subject to the Government Corporation Control Act, shall also be applicable to the activities of the Secretary under this subchapter.

APPENDIX I

NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS 44/

EXCERPTS FROM CIVIL RIGHTS ACT OF 1964
(P.L. 88-352, 78 Stat. 241, 42 U.S.C. 2000a)

TITLE VI--NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SECTION 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

SECTION 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such non-compliance has been so found or (2) by any other means authorized by law: *Provided*, however, that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SECTION 603. Any department or agency action taken pursuant to section 602 shall be subject to such judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

SECTION 604. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

SECTION 605. Nothing in this title shall add to or detract from any existing authority witn respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

APPENDIX J

TRANSFER OF FUNCTIONS FROM HUD TO DOT

REORGANIZATION PLAN NO. 2 OF 1968
(33 FEDERAL REGISTER 6965, 82 STAT. 1369) [45]

URBAN MASS TRANSPORTATION

SECTION 1. Transfer of Functions.--

(a) There are hereby transferred to the Secretary of Transportation:

(1) The functions of the Secretary of Housing and Urban Development and the Department of Housing and Urban Development under the Urban Mass Transportation Act of 1964, except that there is reserved to the Secretary of Housing and Urban Development (i) the authority to make grants for or undertake such projects or activities under sections 6(a), 9, and 11 of that Act as primarily concern the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning, and (ii) so much of the functions under sections 3, 4, and 5 of the Act as will enable the Secretary of Housing and Urban Development (A) to advise and assist the Secretary of Transportation in making findings and determinations under clause (1) of section 3(e)[8], the first sentence of section 4(a), and clause (1) of section 5 of the Act, and (B) to establish jointly with the Secretary of Transportation the criteria referred to in the first sentence of section 4(a) of the Act. [46]

(2) Other functions of the Secretary of Housing and Urban Development, and functions of the Department of Housing and Urban Development or of any agency or officer thereof, all to the extent that they are incidental to or necessary for the performance of the functions transferred by section 1(a)(1) of this reorganization plan, including, to such extent, the functions of the Secretary of Housing and Urban Development and the Department of Housing and Urban Development under (i) title II of the Housing Amendments of 1955 (69 Stat. 635), [47] insofar as functions thereunder involve assistance specifically authorized for mass transportation facilities or equipment, and (ii) title IV of the Housing and Urban Development Act of 1965 (P.L. 89-117). [48]

(3) The functions of the Department of Housing and Urban Development under section 3(b) of the Act of November 6, 1966 (P.L. 89-774). [49]

(b) Any reference in this reorganization plan to any provision of law shall be deemed to include, as may be appropriate, reference thereto as amended.

SECTION 2. Delegation.--The Secretary of Transportation may delegate any of the functions transferred to him by this reorganization plan to such officers and employees of the Department of Transportation as he designates, and may authorize successive redelegations of such functions.

SECTION 3. Urban Mass Transportation Administration.--

(a) There is hereby established within the Department of Transportation an Urban Mass Transportation Administration.

(b) The Urban Mass Transportation Administration shall be headed by an Urban Mass Transportation Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule Pay Rates (5 U.S.C. 5314). The Administrator shall perform such duties as the Secretary of Transportation shall prescribe and shall report directly to the Secretary.

SECTION 4. Interim Administrator.--The President may authorize any person who immediately prior to the effective date of this reorganization plan holds a position in the executive branch of the government to act as Urban Mass Transportation Administrator until the office of Administrator is for the first time filled pursuant to the provision of section 3(b) of this reorganization plan or by recess appointment, as the case may be. The person so designated shall be entitled to the compensation attached to the position he regularly holds.

SECTION 5. Incidental Transfers.--

(a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of Transportation by this reorganization plan as the Director of the Office of Management and Budget 40/ shall determine shall be transferred from the Department of Housing and Urban Development to the Department of Transportation as at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers provided for in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

SECTION 6. Effective Date.--The provisions of this reorganization plan shall take effect at the close of June 30, 1968, or at the time determined under the provisions of section 906(a) of title 5 of the United States Code, whichever is later.

FOOTNOTES

1. As originally enacted, the Act vested urban mass transportation functions in the Administrator of the Housing and Home Finance Agency. The Department of Housing and Urban Development Act (P.L. 89-174) transferred those functions to the Secretary of Housing and Urban Development. By section 20 of Public Law 90-19, the Act was amended to read "Secretary of Housing and Urban Development." Reorganization Plan No. 2 of 1968 (see Appendix J, page 35) transferred most urban mass transportation functions to the Secretary of Transportation. Unless otherwise indicated, all references to the Secretary mean the Secretary of Transportation.

2. See also the statement of findings and purposes contained in section 1 of the Urban Mass Transportation Assistance Act of 1970 (Appendix A, page 16).

3. The Federal-Aid Highway Act of 1970 (see Appendix B, page 18) authorizes the use of certain Federal-aid highway funds to assist in improving urban mass transportation. Section 111(a) (23 U.S.C. 142) authorizes the use of funds for the construction of highway lanes and other facilities specifically designed to enhance urban mass transportation by bus. Section 134(a) (23 U.S.C. 137) authorizes the use of funds for acquisition and construction of fringe parking facilities if adequate public transportation service is made available for persons using such facilities. Under both sections, Federal funds can be used to pay up to 50% of the cost of such projects prior to July 1, 1973, after which date the maximum allowable Federal share will be 70% (section 108 of Public Law 91-605).

4. Section 2 of Public Law 91-453 changed section 3 by deleting the existing subsections (a) and (b), redesignating subsection (c) as subsection (e), and inserting new subsections (a), (b), (c), and (d). The substance of the changes made in section 3 by Public Law 91-453 is as follows:

    i) eliminate the requirements that:

        "Loans under this section shall be subject to the restrictions and limitations set forth in paragraphs (1), (2), and (3) of section 202(b) of the Housing Amendments of 1955. The authority provided in section 203 of such Amendments to obtain

funds for loans under clause (2) of section 202(a) of such Amendments shall (except for undisbursed loan commitments) hereafter be exercised by the Secretary (without regard to the priviso in section 202(d) of such amendments) solely to obtain funds for loans under this section;"

and replace these requirements with the provisions set forth in the last paragraph of subsection (c);

ii) impose the requirement that State Governors must have an opportunity to comment on certain applications for capital assistance; and

iii) establish the new authorities and requirements set forth in subsections (b) and (d).

5. Statutory requirements for planning and for Federal, State, and local review and comment applicable to Federally assisted urban mass transportation projects are contained in the following laws:

1) Sections 3(a) and (d), 4(a), 5, and 14(a) of the Urban Mass Transportation Act of 1964;

2) Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (see Appendix C, page 21);

3) Section 401 of the Intergovernmental Cooperation Act of 1968 (see Appendix D, page 23); and

4) Section 102(2)(c) of the National Environmental Policy Act of 1969 (see Appendix E, page 24).

Office of Management and Budget Circular A-95, dated July 24, 1969 (revised July 26, 1971), establishes procedures which implement the requirements for project notification and review of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and section 401 of the Intergovernmental Cooperation Act of 1968.

Office of Management and Budget Circular A-85, as revised January 20, 1971, establishes procedures to implement the requirement of the Intergovernmental Cooperation Act of 1968 for consultation with State and local governments on major actions affecting program operations or organization.

6. See footnote 23/.

7. The public hearing requirements of section 3(d) and the environmental protective requirements of section 14, which were added by sections 2 and 6 respectively of Public Law 91-453, have been held not to apply to projects for which grants or loans were approved prior to October 15, 1970. Newman v. Department of Transportation et al., 2 E.R.C. 1617 (U.S.D.C., E.D.N.Y., 1971).

8. Subsection 3(e) was formerly subsection (c), but was redesignated by section 2(1) of Public Law 91-453.

9. The Secretary of Housing and Urban Development is authorized to advise and assist the Secretary in making these determinations under sections 3(e), 4(a), and 5 and to act jointly with the Secretary in establishing the criteria referred to in section 4(a). See section 1(a)(1) of Reorganization Plan No. 2 of 1968 (Appendix J, page 35).

10. In the case of South Suburban Safeway Lines, Inc. v. City of Chicago et al., 285 F. Supp. 676 (U.S. D.C., N.D. Ill., 1968), affirmed 416 F. 2d 535 (C.A. 7, 1969), the court held that a private mass transportation company allegedly damaged by lawful competition from a publicly-owned system receiving assistance under this Act has no standing under subsection 3(e)(2) (formerly subsection 3(c)(2)) to sue to enjoin the expenditure of grant funds to such a public system.

11. In lieu of what are currently the last three sentences of sections 4(a) and 5, these sections of the Act originally read as follows:

> "The remainder of the net project cost shall be provided in cash, from sources other than Federal funds, and no refund or reduction of that portion so provided shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

Section 704 of Public Law 90-448 substituted the following three sentences for the original sentence:

> "The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Not more than 50 per centum of such remainder may be provided from other than public sources, and any public or private transit system funds shall be provided solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital, except that in cases of demonstrated fiscal inability of an applicant actively engaged in preparing and effectuating a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area, such remainder may be provided from other than public sources. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant."

Sections 3(a)(2) and 4(b) of Public Law 91-453 amended these sections to read in their current form. The effect of this change was to delete the requirement (contained in the next to last sentence above) that at least 50% of the local share of project cost must come from public sources unless the applicant public body demonstrated its fiscal inability to provide such funds.

12. Section 1(a) of Public Law 89-562 added authorizations of $150,000,000 for each of fiscal years 1968 and 1969. Section 701 of Public Law 90-448 added the authorization of $190,000,000 for fiscal year 1970. Section 306(a) of Public Law 91-152 added the authorization of $300,000,000 for fiscal year 1971. The following appropriations for urban mass transportation grants have been made pursuant to section 4(b):

    a) $60,000,000 for fiscal year 1965 by Public Law 88-635;

    b) $130,000,000 for each of fiscal years 1966 and 1967 by Public Law 89-128;

    c) $55,000,000 for fiscal year 1968 by Public Law 89-555;

d) $70,000,000 for fiscal year 1968 by Public Law 89-697;

e) $175,000,000 for fiscal year 1969 by Public Law 90-121;

f) $175,000,000 for fiscal year 1970 by Public Law 90-464; and

g) $214,000,000 for fiscal year 1971 by Public Law 91-168;

13. Section 3648 of the Revised Statutes (60 Stat. 809, 31 U.S.C. 529) contains a general prohibition against the making of advance payments.

14. The words "or contract" were inserted in section 4(b) by section 13(a) of Public Law 91-453.

15. Public Law 91-168 appropriated $214 million to the Urban Mass Transportation Fund. This amount was made available pursuant to the authorization contained in subsection 4(b) and, pursuant to the savings provision contained in the parenthetical clause in the second sentence of subsection 4(c), remained available for obligation. The net effect of P.L. 91-453 was to make available for obligation $2.886 billion of new funds. Thus a total of $3.1 billion, plus additional amounts made available by appropriation acts prior to enactment of Public Law 91-168, were authorized to be obligated under the Act in fiscal year 1971 upon enactment of Public Law 91-453, subject to certain restrictions contained in other laws (see footnote 16).

16. Funds made available for obligation pursuant to section 4(c) may not be obligated until they have been apportioned by the Director of the Office of Management and Budget pursuant to 31 U.S.C. 665 (see Appendix G, page 28). In addition, Congress exercised its authority to limit the level at which the program may be conducted within the authorized ceiling in Public Law 91-294 (as amended by Public Laws 91-370, 91-454, 91-645, and 92-7) and in Public Law 92-74, by providing that none of the funds made available in these respective appropriation acts could be used for administrative expenses in connection with commitments for grants in excess of $600,000,000 and $900,000,000 for fiscal years 1971 and 1972 respectively.

17. The following appropriations have been made to the Urban Mass Transportation Fund pursuant to the authority contained in subsections 4(c) and 12(d):

    a) $9,300,000 for fiscal year 1971 by Public Law 91-645;

    b) $7,500,000 for fiscal year 1971 by Public Law 92-18; and

    c) $221,300,000 for fiscal year 1972 by Public Law 92-74.

18. Section 3(b) of Public Law 91-453 added new subsections (c) and (d) to section 4.

19. See Appendix A, page 16.

20. As originally enacted, the termination date for the emergency program under section 5 of the Act was July 1, 1967. The provision has subsequently been amended to extend the program as follows:

    a) Public Law 90-34, substituted "November 1, 1967" for "July 1, 1967,"

    b) Public Law 90-169, substituted "1968" for "1967,"

    c) Public Law 90-448, substituted "July 1, 1970" for "November 1, 1968,"

    d) Public Law 91-152, substituted "1971" for "1970," and

    e) Public Law 91-453, substituted "1972" for "1971."

21. The words "grant or" were inserted in section 6 by section 13(b) of Public Law 91-453.

22. Section 6 actually contains four subsections, (a), (b), (c), and (d). The part appearing in the text is subsection (a). The last three subsections have been omitted from the text because they no longer have a significant operative effect. The study called for in (b) has been completed, the limits on authorizations for appropriations in (c) are no longer applicable, and the saving provision in (d) is unnecessary as section 602 of the Housing Act of 1956 (70 Stat. 1113) simply authorizes the Secretary of Housing and Urban Development to conduct investigations, analysis, and research into the problem of the availability of housing.

Subsections 6(b), (c), and (d) read as follows:

> "(b) The Secretary shall, in consultation with the Secretary of Transportation, undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities, and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the effective date of this subsection.
>
> (c) The Secretary may make available to finance projects under this section not to exceed $10,000,000 of the mass transportation grant authorization provided in section 4(b), which limit shall be increased to $20,000,000 on July 1, 1965, to $30,000,000 on July 1, 1966, to $40,000,000 on July 1, 1967, and $56,000,000 on July 1, 1968. On or after July 1, 1969, the Secretary may make available to finance projects under this section such additional sums out of grant authorization provided in section 4(b) as he deems appropriate.
>
> (d) Nothing contained in this section shall limit any authority of the Secretary under section 602 of the Housing Act of 1956 or any other provision of law."

Section 6(b) was added by section 3 of Public Law 89-562, which also redesignated subsections (b) and (c) of section 6 as subsections (c) and (d) respectively.

Section 1(b) of Public Law 89-562 amended subsection 6(c) to authorize annual increases of $10,000,000 each for fiscal years 1968 and 1969. Section 701 of Public Law 90-448 authorized an additional $6 million increase for fiscal year 1969. Section 304(b) of Public Law 89-117 repealed the original second sentence of subsection (c), relating to the authorization in section 103(b) of the Housing Act of 1949 (63 Stat. 413) of funds for mass transportation demonstration grants.

The last sentence of subsection 6(c) was added by section 701 of Public Law 90-448.

23. Section 7 of the Act has been partially repealed. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) is now the primary statutory authority governing relocation and land acquisition pursuant to the urban mass transportation program, in lieu of section 7 of the Act and the other laws indicated below. (No portions of the 1970 Uniform Act have been included in this pamphlet because of the great length and complexity of that Act.) Subsection 220(a)(4), (5), and (8) of the 1970 Uniform Act repealed subsection 7(b) of the Act, section 114 of the Housing Act of 1949 (63 Stat. 413), and section 404 of Public Law 89-117 respectively. Section 306 of the 1970 Uniform Act repealed sections 401, 402, and 403 of Public Law 89-117.

These six repealed sections contained the authority and requirements for making relocation and other payments to persons and businesses displaced by mass transportation projects and the policies to be adhered to in acquiring land for such projects. New provisions covering these and other requirements designed to protect persons displaced by such projects are contained in the 1970 Uniform Act. However, section 221(b) of the 1970 Uniform Act provides that the new requirements will not apply to any applicant for grant assistance to the extent it is legally unable to comply with them prior to July 1, 1972. Until that time the repeals made by section 220(a) are not applicable to such applicant.

Subsection 7(a) of the Act has not been repealed although the effect of its provisions has been largely superseded by the requirements of the 1970 Uniform Act.

Subsection 7(b) reads as follows:

> "Notwithstanding any other provision of this Act, financial assistance extended to any project under section 3 may include grants for relocation payments, as herein defined. Such grants may be in addition to other financial assistance for the project under section 3, and no part of the amount of such relocation payments shall be required to be contributed as a local grant. The term "relocation payments" means payments by the applicant to individuals, families, business concerns, and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit, for which reimbursement or compensation is not otherwise made, resulting from their displacement by the project. Such payments shall be made subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed $200 in the case of an individual or family, or $3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. Such rules and regulations may include provisions authorizing payment to individuals and families of fixed amounts (not to exceed $200 in any case) in lieu of their respective reasonable and necessary moving expenses and actual direct losses of property."

24. Section 8 has been omitted from the text. When it was established in 1964, the Federal urban mass transportation program was to be administered by the Housing and Home Finance Administration, and the Federal highway program was the responsibility of the Secretary of Commerce. Since both programs are now administered by the Secretary of Transportation (see footnote 1), the legal mandate of Section 8 is superfluous. Section 8 reads as follows:

> "COORDINATION OF FEDERAL ASSISTANCE FOR HIGHWAYS AND FOR MASS TRANSPORTATION FACILITIES
>
> SECTION 8. In order to assure coordination of highways and railway and other mass transportation planning and development programs in urban areas, particularly with

respect to the provision of mass transportation facilities in connection with federally assisted highways, the Secretary and the Secretary of Transportation shall consult on general urban transportation policies and programs and shall exchange information on proposed projects in urban areas."

Reorganization Plan No. 2 of 1968 (see Appendix J, page 35) and section 4(g) of Public Law 89-670 (set forth in footnote 46) state the current requirements for cooperation between the Secretaries of Transportation and of Housing and Urban Development.

25. Section 2(a) of Public Law 89-562 added new sections 9, 10, 11, and redesignated the former sections 9 through 12 as sections 12 through 15, respectively.

26. Subsections 10(c) and 11(b) have been omitted from the text. These subsections impose limitations on the amount of funds appropriated pursuant to Section 4(b) which may be used annually for the activities authorized by Sections 10 and 11 respectively. Although the limitations in Subsections 10(c) and 11(b) would be controlling if appropriations for activities under sections 10 and 11 respectively were specifically obtained under subsection 4(b), Public Law 91-453 inserted a new subsection 4(c) and amended subsection 12(d) (see footnote 31/), so funds for use under sections 10 and 11 will normally be obtained pursuant to subsection 12 (d) rather than subsection 4(b).

Subsection 10(c) reads as follows:

> "(c) The Secretary may make available to finance grants under this section not to exceed $1,500,000 per annum of the grant funds appropriated pursuant to section 4(b)."

Subsection 11(b) reads as follows:

> "(b) The Secretary may make available to finance grants under this section not to exceed $3,000,000 per annum of the grant funds appropriated pursuant to section 4(b)."

27. Section 402 of the Housing Act of 1950 (64 Stat. 48) is set forth in Appendix H (page 30).

28. A disappointed bidder on a contract awarded by a grantee has no standing to sue the Secretary to enjoin concurrence in the award, and the Secretary's action in concurring therein is not judicially reviewable. Pullman, Incorporated v. Volpe et al., F. Supp. (U.S.D.C., E.D. Pa., December 14, 1971).

29. Section 1109 of Public Law 89-117 deleted the original subsection (c) of section 12 and redesignated the remaining subsections accordingly.

Subsection (c) originally read as follows:

> "(c) All contracts for construction, reconstruction, or improvement of facilities and equipment in furtherance of the purposes for which a loan or grant is made under this Act shall provide that in the performance of the work, the contractor shall use only such manufactured articles as have been manufactured in the United States."

30. Section 702 of Public Law 90-448 amended subsection 12(c)(5) by inserting "which provides to the public general or special service" in lieu of "serving the general public," and inserting "on a regular and continuing basis" in lieu of "and moving over prescribed routes."

31. Section 5 of Public Law 91-453 amended subsection 12(d) by inserting the words "without fiscal year limitation" after the first clause, substituting the word "the" for the word "all" before the word "functions", and deleting "except loans under Section 3. All funds appropriated under this Act for other than administrative expenses shall remain available until expended." at the end of the subsection.

32. Section 2(b)(2) of Public Law 89-562 amended section 13(c) by substituting the words "under section 3 of this Act" for the words "under this Act." Subsequently, the Chairman of the Committees on Banking and Currency of the House and of the Senate inserted in the Congressional Record statements indicating that there was no intent to exclude the urban mass transportation demonstration program under section 6(a) from the labor-protective requirements of section 13(c). See Congressional Record, October 20,

1966, p. 28344, and October 22, 1966, p. 28826 (89th Congress, 2d Session).

33. The determination of the Secretary of Labor under section 13(c) as to what arrangements are "fair and equitable" in any case involves administrative judgement, discretion, and expertise, and is therefore not judicially reviewable in the absence of express or implied statutory provision for review. Kendler et al. v. Wirtz et al., 388 F.2d. 381 (C.A. 3, 1968).

34. Additional statutory requirements with regard to the environment are contained in the National Environmental Policy Act of 1969 (see Appendix E, page 24) and Section 4(f) of the Department of Transportation Act (see Appendix F, page 27).

35. Section 6 of Public Law 91-453 deleted section 14 in its entirety and inserted the new section 14. The former section 14 (originally section 11, but redesignated by section 2(a) of Public Law 89-562) read as follows:

"AIR POLLUTION CONTROL

SECTION 14. In providing financial assistance to any project under section 3, the Secretary shall take into consideration whether the facilities and equipment to be acquired, constructed, reconstructed, or improved will be designed and equipped to prevent and control air pollution in accordance with any criteria established for this purpose by the Secretary of Health, Education, and Welfare."

36. The first sentence of section 15 (originally section 12, but redesignated by section 2(a) of Public Law 89-562) has been omitted from the text as it only applied to grants made prior to July 1, 1970. Section 7 of Public Law 91-453 amended this section by inserting the limiting date in the first sentence and by adding the remainder of the section. The first sentence of the section reads as follows:

"Grants made under section 3 (other than grants for relocation payments in accordance with section 7(b) [23]) before July 1, 1970, for projects in any State shall not exceed in the aggregate 12-1/2 per centum of the aggregate amount of grant funds authorized to be appropriated pursuant to section 4(b); except that the Secretary may, without regard to such limitation, enter into contracts for grants under section 3 aggregating not to exceed $12,500,000 (subject to the total authorization provided in section 4(b) with local public bodies and agencies in States where more than two-thirds of the maximum grants permitted in the respective State under this section has been obligated."

The clause in this sentence beginning "except that" and continuing to the end of the sentence was added by Public Law 89-562.

37. Section 16 was added by Section 8 of Public Law 91-453.

38. The primary provisions of Public Law 91-453, the Urban Mass Transportation Assistance Act of 1970, amended the Urban Mass Transportation Act of 1964, and the resulting changes have been made in the text of the 1964 Act and are indicated by the footnotes. Appendix A sets forth the provisions of the 1970 Act which do not amend the 1964 Act.

39. Reorganization Plan No. 2 of 1968 is set forth in Appendix J (page 35).

40. The Bureau of the Budget was redesignated as the Office of Management and Budget by Part I of Reorganization Plan No. 2 of 1970 (35 F.R. 7959).

41. This provision was interpreted and applied by the Supreme Court in Citizens to Preserve Overton Park, Inc., et al v. Volpe et al, 401 U.S. 402. The Court held that the action of the Secretary approving a project covered by this section is subject to judicial review to determine whether the Secretary's determination was arbitrary and capricious.

42. The Government Corporation Control Act (P.L. 79-248, 59 Stat. 597) is codified as 31 U.S.C. 841 et seq.

43. 31 U.S.C. 870 (63 Stat. 662) reads as follows:

> "CONSOLIDATION OF BANKING AND CHECKING ACCOUNTS OF CORPORATIONS AND AGENCIES
>
> After June 30, 1949, the corporations or agencies subject to this chapter, are authorized, with the approval of the Comptroller General, to consolidate, notwithstanding the provisions of any other law, into one or more accounts for banking and checking purposes all cash, including amounts appropriated from whatever source derived: *Provided*, That such cash, including amounts appropriated, of such corporations or agencies shall be expended in accordance with the applicable terms of their respective enabling acts and other acts applicable to their transactions."

44. See also Executive Order 11246 of September 24, 1965, as amended (30 F.R. 12319, 32 F.R. 14303, 34 F.R. 12986) dealing with equal employment opportunity in work done for, or with financial assistance provided by, the Federal Government.

45. Reorganization Plan No. 2 of 1968 was prepared by the President and transmitted to the Senate and House of Representatives February 26, 1968, pursuant to the provisions of Chapter 9 of Title 5 of the United State Code.

46. In addition to the functions reserved to the Secretary of Housing and Urban Development by the provisions of Reorganization Plan No. 2 of 1968, he and the Secretary of Transportation are required to perform the following joint functions set forth in section 4(g) of Public Law 89-670.

> "(g) The Secretary and the Secretary of Housing and Urban Development shall consult and exchange information regarding their respective transportation policies and activities, carry out joint planning, research and other activities; and coordinate assistance for local transportation projects. They shall jointly

study how Federal policies and programs can assure that urban transportation systems most effectively serve both national transportation needs and the comprehensively planned development of urban areas. They shall, within one year after the effective date of this Act, and annually thereafter, report to the President, for submission to the Congress, on their studies and other activities under this subsection, including any legislative recommendations which they determine to be desirable. The Secretary and the Secretary of Housing and Urban Development shall study and report within one year after the effective date of this Act to the President and the Congress on the logical and efficient organization and location of urban mass transportation functions in the Executive Branch."

47. Title II of the Housing Amendments of 1955 (69 Stat. 635, 642), as amended primarily by Title V of the Housing Act of 1961 (P.L. 87-70, 75 Stat. 149, 173, June 30, 1961), authorized loans to public bodies to assist in financing urban mass transportation capital improvement projects. However, pursuant to the terms of section 202(d) of the 1955 Act the authority to make new commitments expired on July 1, 1963, so the only powers under this statute actually transferred to the Secretary by Reorganization Plan No. 2 of 1968 were those necessary to administer loans which had been made previously.

48. Title IV of Public Law 89-117 dealt with the authority to provide financial assistance for relocation payments to persons displaced by certain Federally assisted projects. Its pertinent provisions have been repealed (see footnote 23/).

49. Section 3(b) of Public Law 89-774 (80 Stat. 1352, November 6, 1966) authorized the Secretary of Housing and Urban Development to receive appropriations for the purpose of making the Federal payments authorized to the Washington Metropolitan Transit Authority.

TABLE OF STATUTORY REFERENCES

PUBLIC LAW	STATUTES AT LARGE (and United States Code)	NAME and DATE
171	63 Stat. 413	Housing Act of 1949 (July 15, 1949)
475	64 Stat. 48, 78 (12 U.S.C. 1749a)	Housing Act of 1950 (April 20, 1950)
345	69 Stat. 635, 642	Housing Amendments of 1955 (Aug. 11, 1955)
1020	70 Stat. 1091,1113 (12 U.S.C. 1701d-3)	Housing Act of 1956 (Aug. 7, 1956)
88-635	78 Stat. 1023	Supplemental Appropriation Act of 1965 (October 7, 1964)
89-117	79 Stat. 451,485	Housing & Urban Development Act of 1965 (Aug. 10, 1965)
89-128	79 Stat. 543	Independent Offices Appropriation Act of 1966 (Aug. 16, 1965)
89-174	79 Stat. 667 (42 U.S.C. 3531)	Department of Housing and Urban Development Act (Sept. 9, 1965)
89-562	80 Stat. 715	An Act to Amend the Urban Mass Transportation Act of 1964 (Sept. 8, 1966)
89-670	80 Stat. 931 (49 U.S.C. 1653)	Department of Transporta- Act (Oct. 15, 1966)

TABLE OF STATUTORY REFERENCES

PUBLIC LAW	STATUTES AT LARGE (and United States Code)	NAME and DATE
89-697	80 Stat. 1057	Supplemental Appropriation Act of 1967 (Oct. 27, 1966)
90-19	81 Stat. 17, 25	(May 25, 1967)
90-34	81 Stat. 81	(June 28, 1967)
90-121	81 Stat. 341	Independent Offices and Department of Housing and Urban Development Appropriation Act of 1968 (Nov. 3, 1967)
90-169	81 Stat. 526	(December 1, 1967)
90-448	82 Stat. 476	Housing and Urban Development Act of 1968 (Aug. 1, 1968)
90-464	82 Stat. 654	Department of Transportation Appropriation Act of 1969 (Aug. 8, 1968)
91-152	83 Stat. 379	Housing and Urban Development Act of 1969 (Dec. 24, 1969)
91-168	83 Stat. 454	Department of Transportation and Related Agencies Appropriation Act of 1970 (Dec. 26, 1969)
91-190	83 Stat. 852 (42 U.S.C.A. 4321)	National Environmental Policy Act of 1969 (January 1, 1970)
91-294	84 Stat. 333	(June 29, 1970)

TABLE OF STATUTORY REFERENCES

PUBLIC LAW	STATUTES AT LARGE (and United States Code)	NAME and DATE
91-453	84 Stat. 962	Urban Mass Transportation Assistance Act of 1970 (Oct. 15, 1970)
91-605	84 Stat. 1713 (23 U.S.C.)	Federal-Aid Highway Act of 1970 (Dec. 31, 1970)
91-645	84 Stat. 1893	(January 2, 1971)
91-646	84 Stat. 1894 (42 U.S.C.A. 4601)	The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Jan. 2, 1971)
92-18	85 Stat. 40	Second Supplemental Appropriation Act of 1971 (May 25, 1971)
92-74	85 Stat. 201	Department of Transportation and Related Agencies Appropriation Act of 1972 (Aug. 10, 1971)

*U.S. GOVERNMENT PRINTING OFFICE: 1972-721-353/402

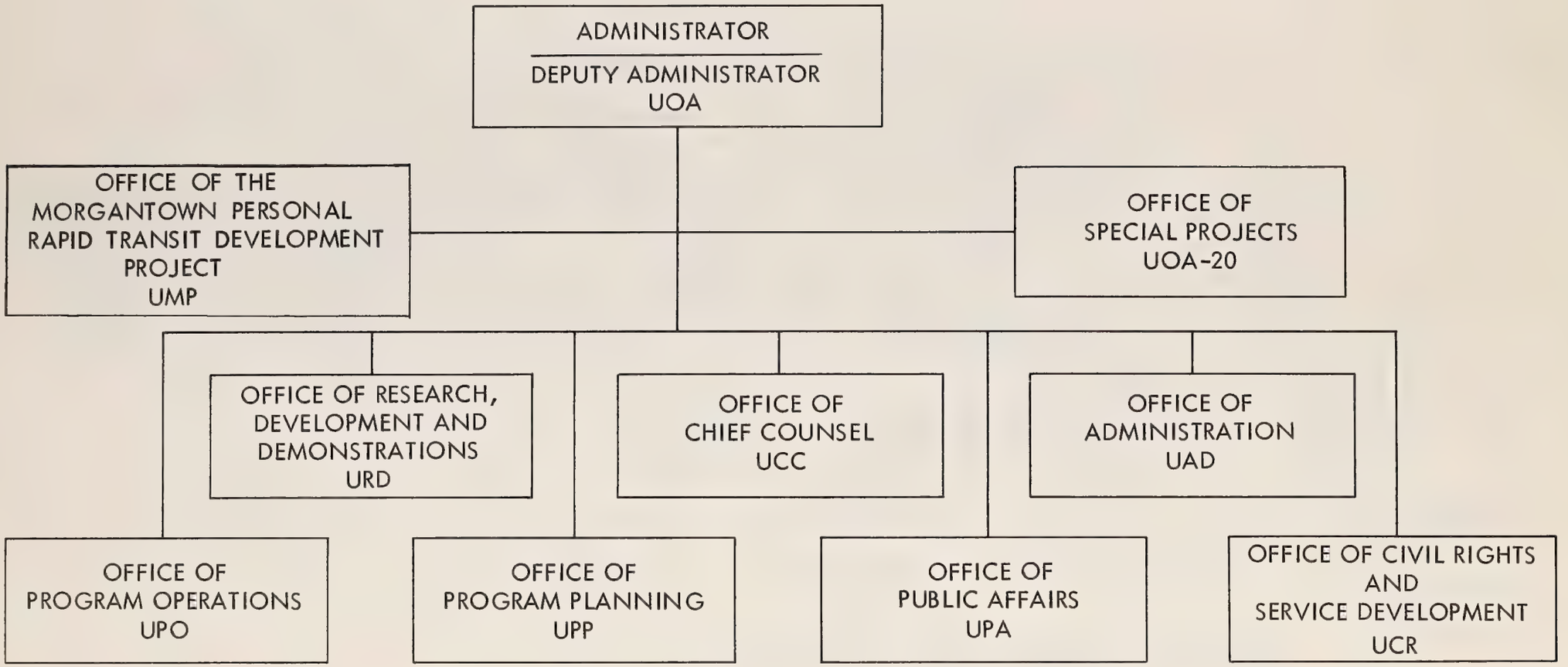
Appendix 3

Organizational Charts

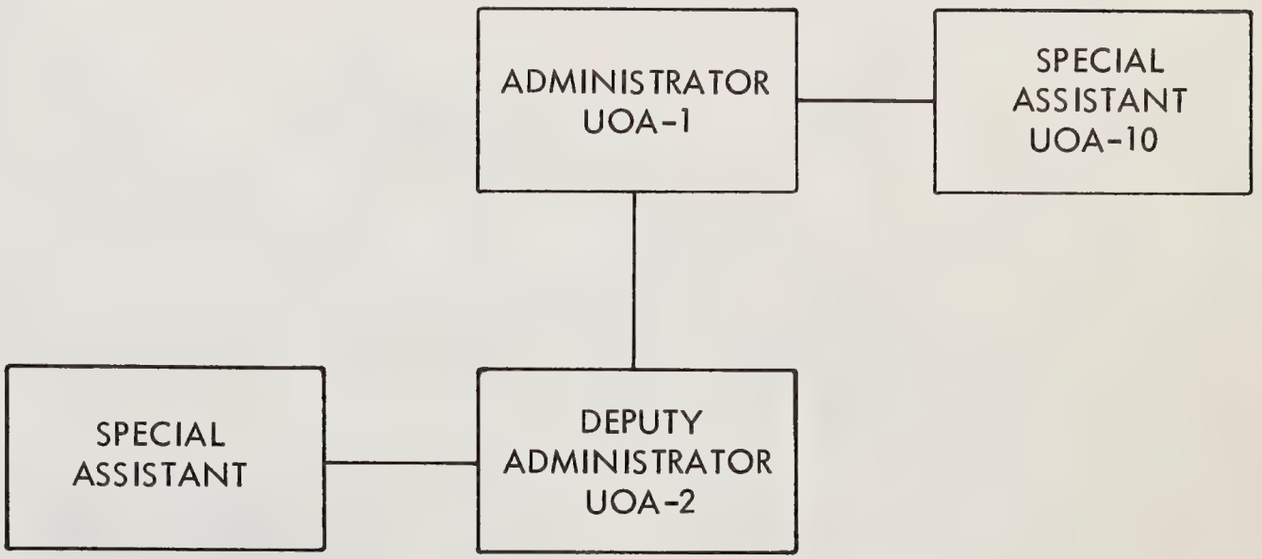
for

Urban Mass Transportation Administration

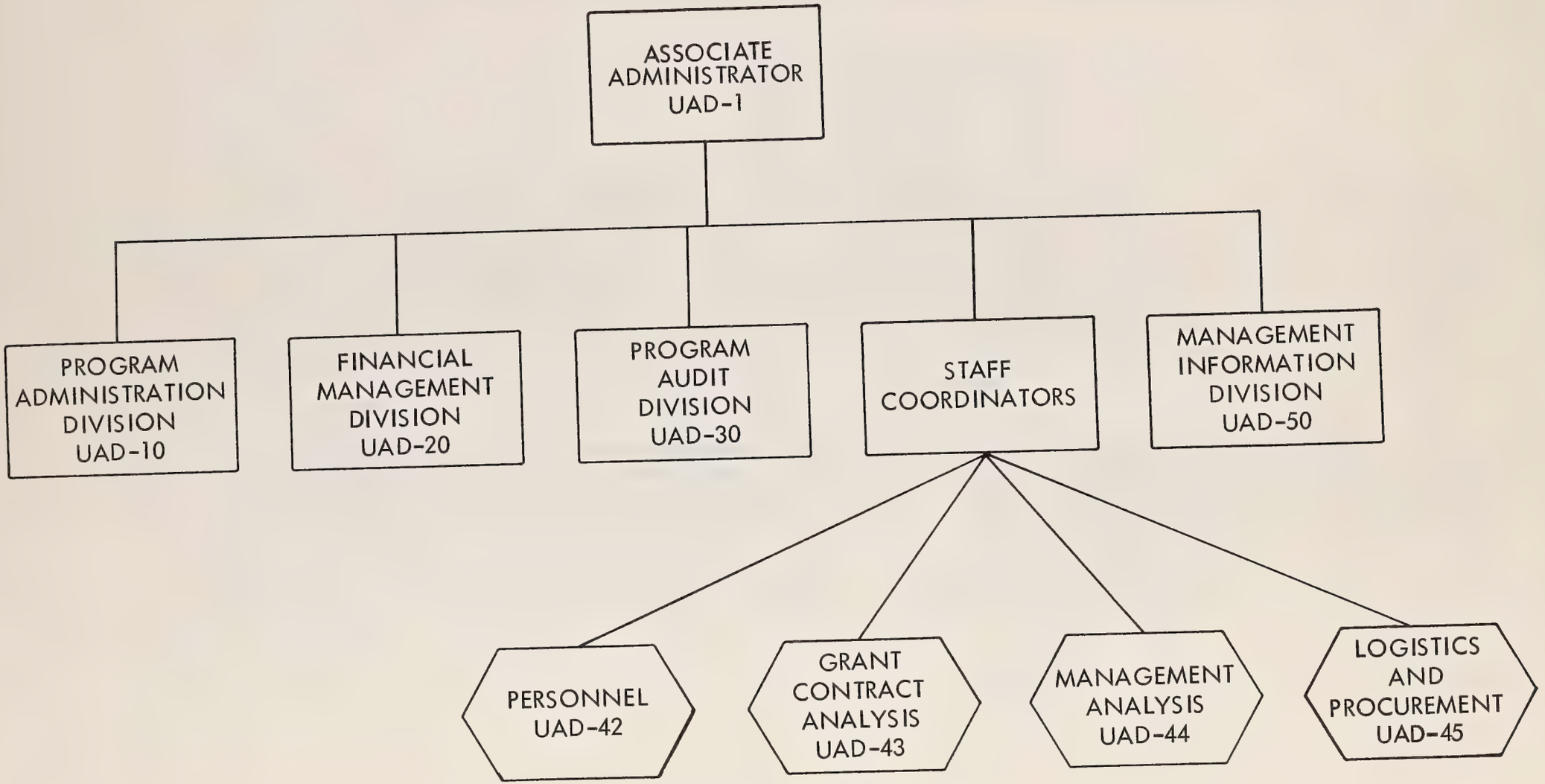
URBAN MASS TRANSPORTATION ADMINISTRATION



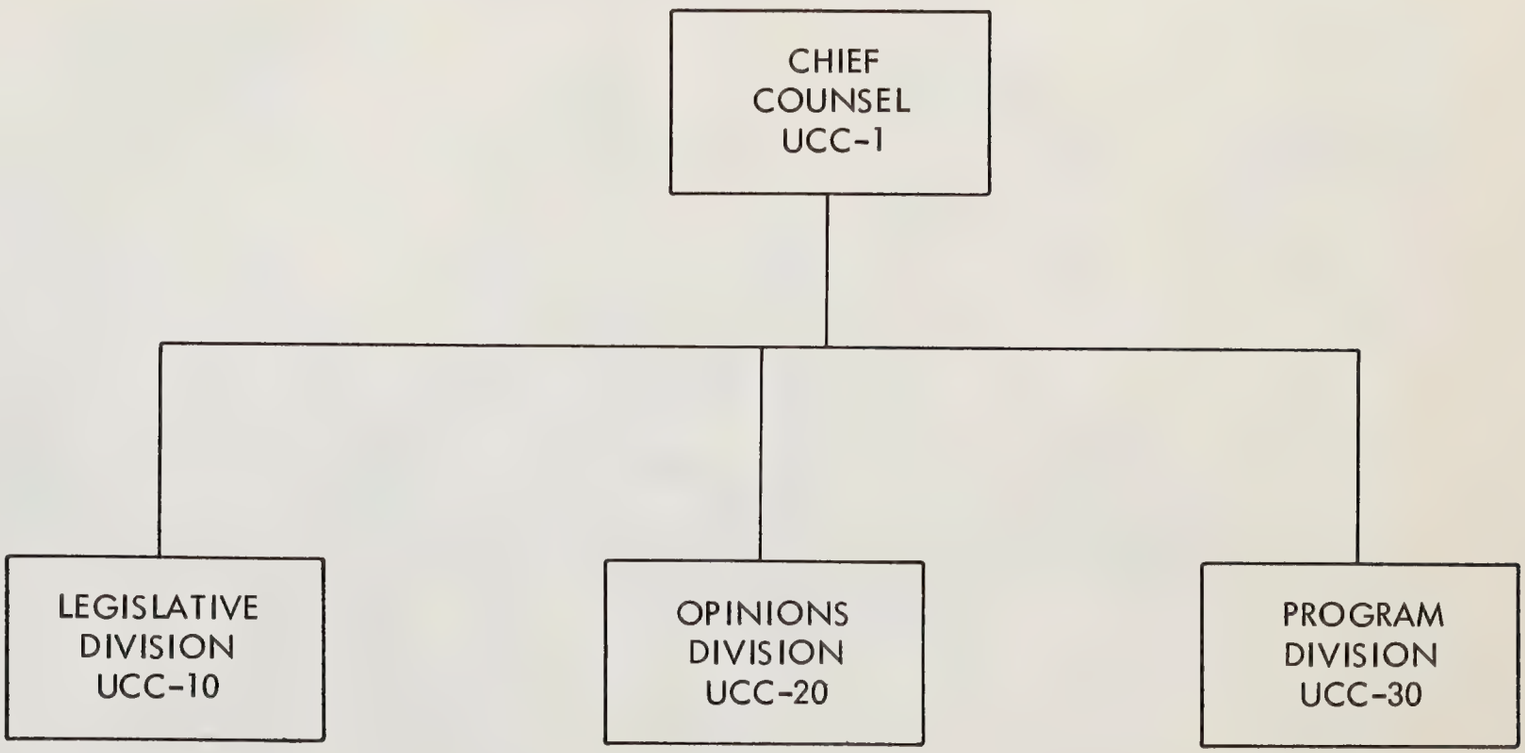
OFFICE OF THE ADMINISTRATOR



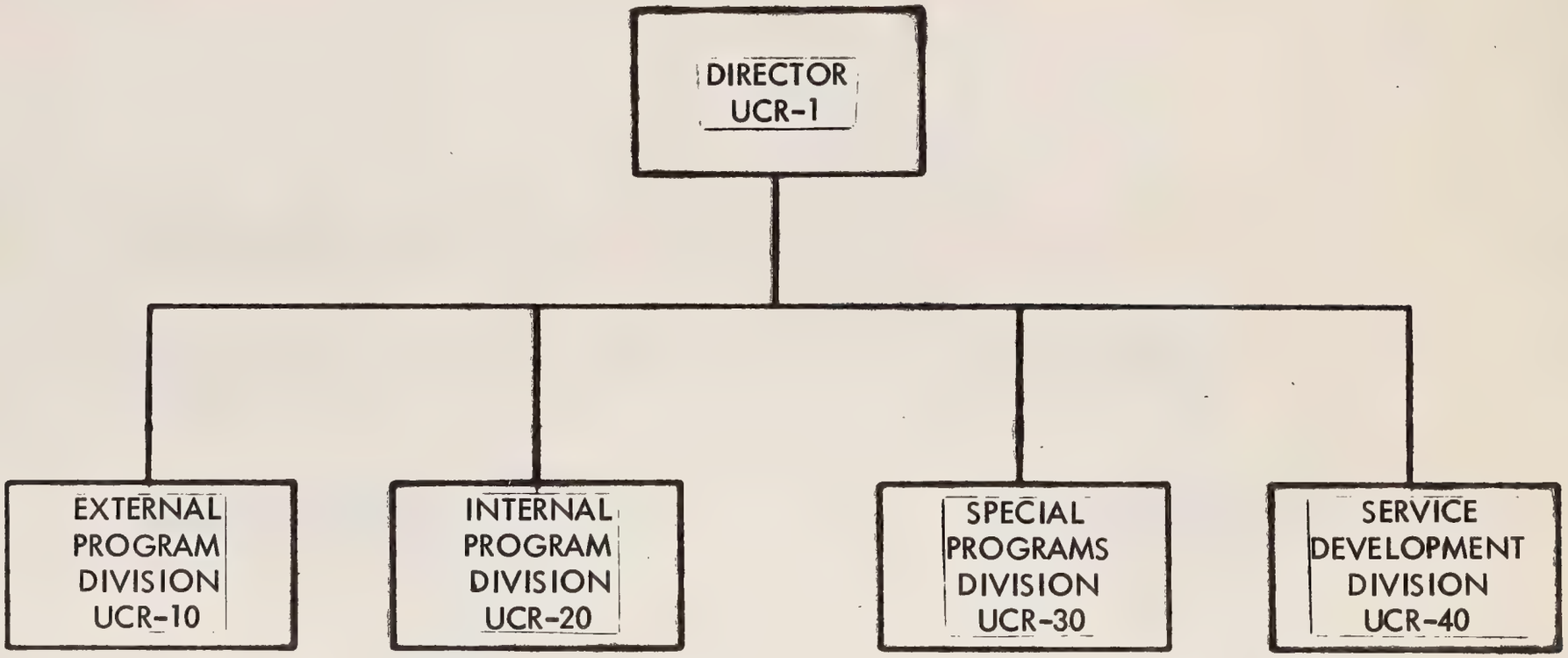
OFFICE OF ADMINISTRATION



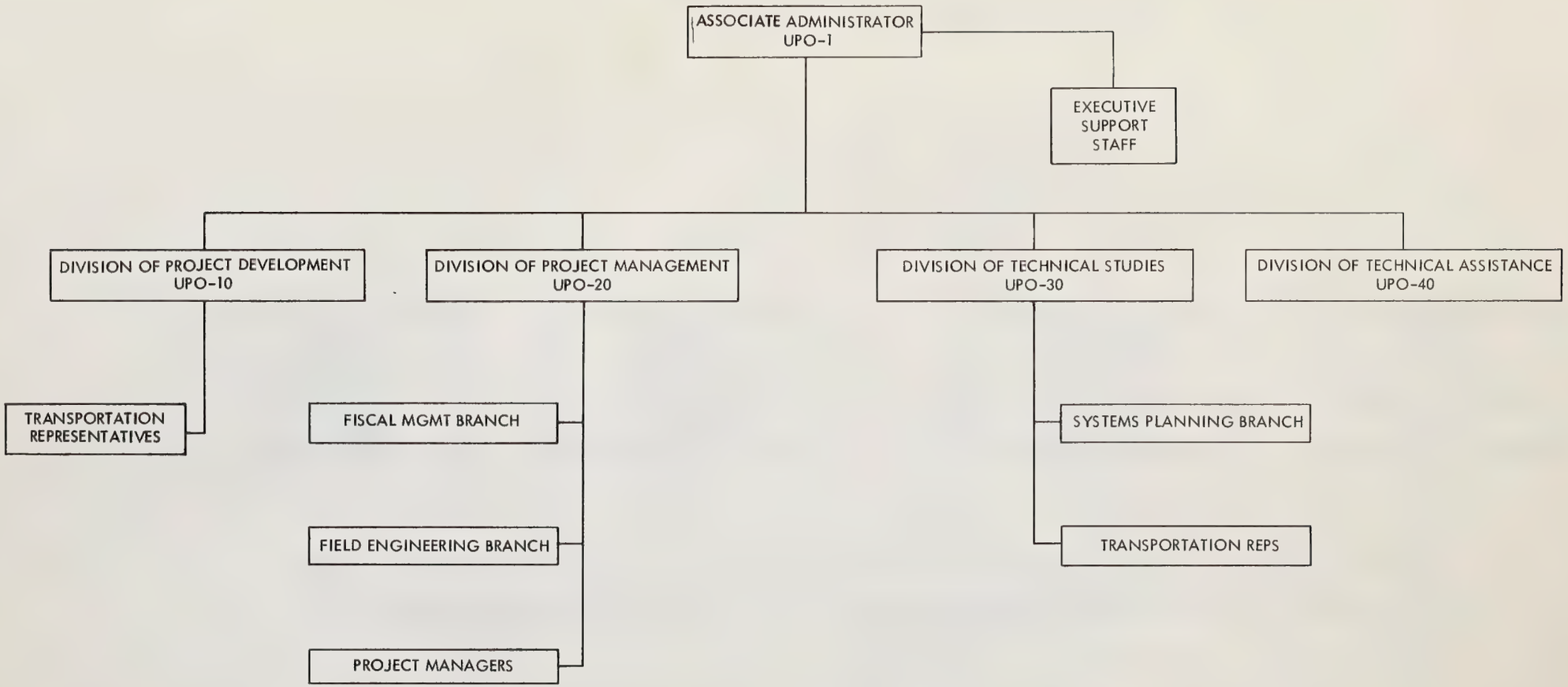
OFFICE OF CHIEF COUNSEL



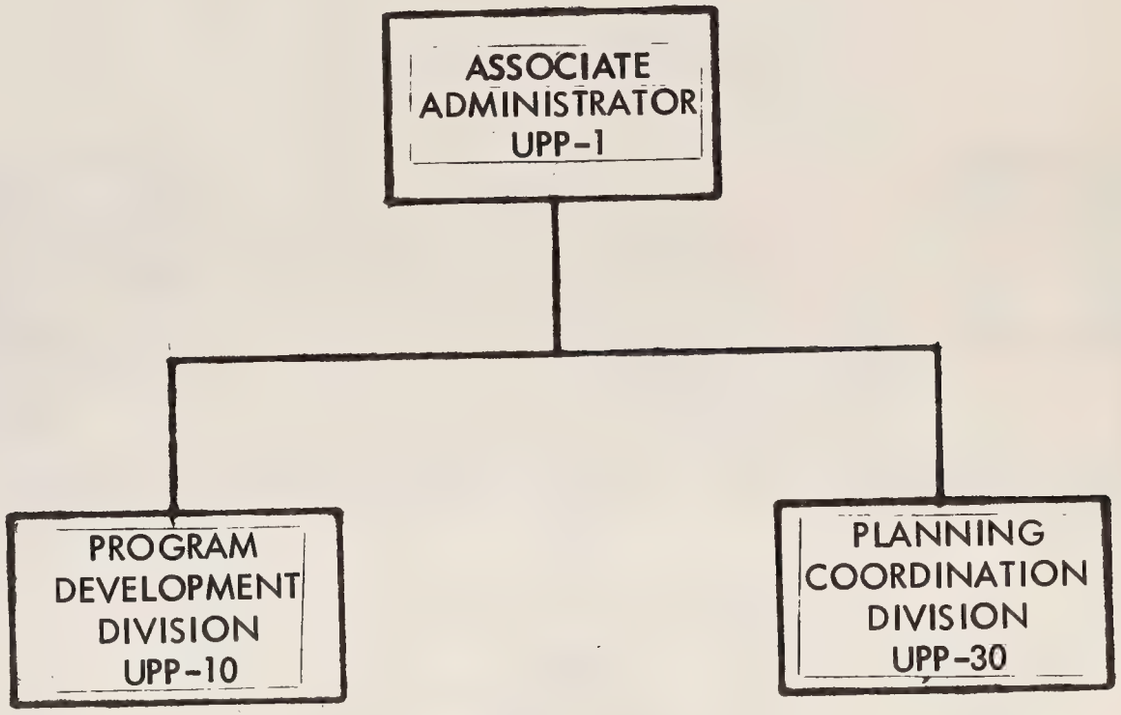
OFFICE OF CIVIL RIGHTS AND SERVICE DEVELOPMENT



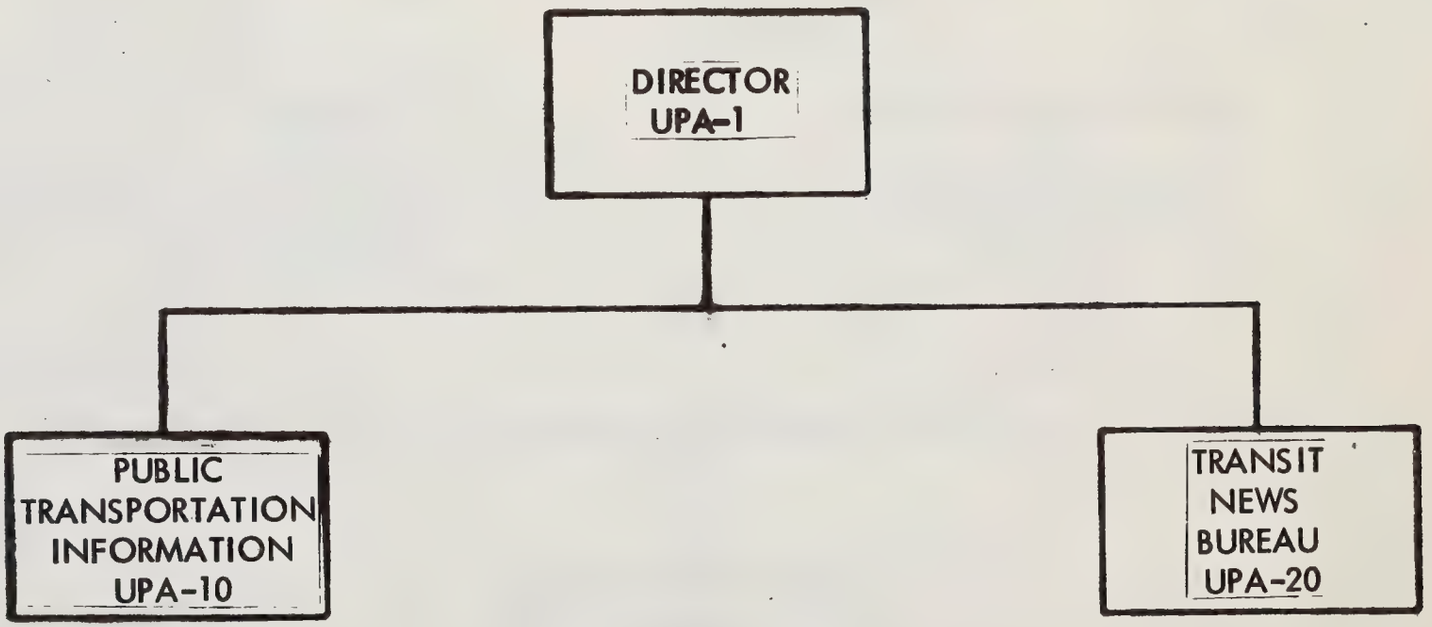
OFFICE OF PROGRAM OPERATIONS



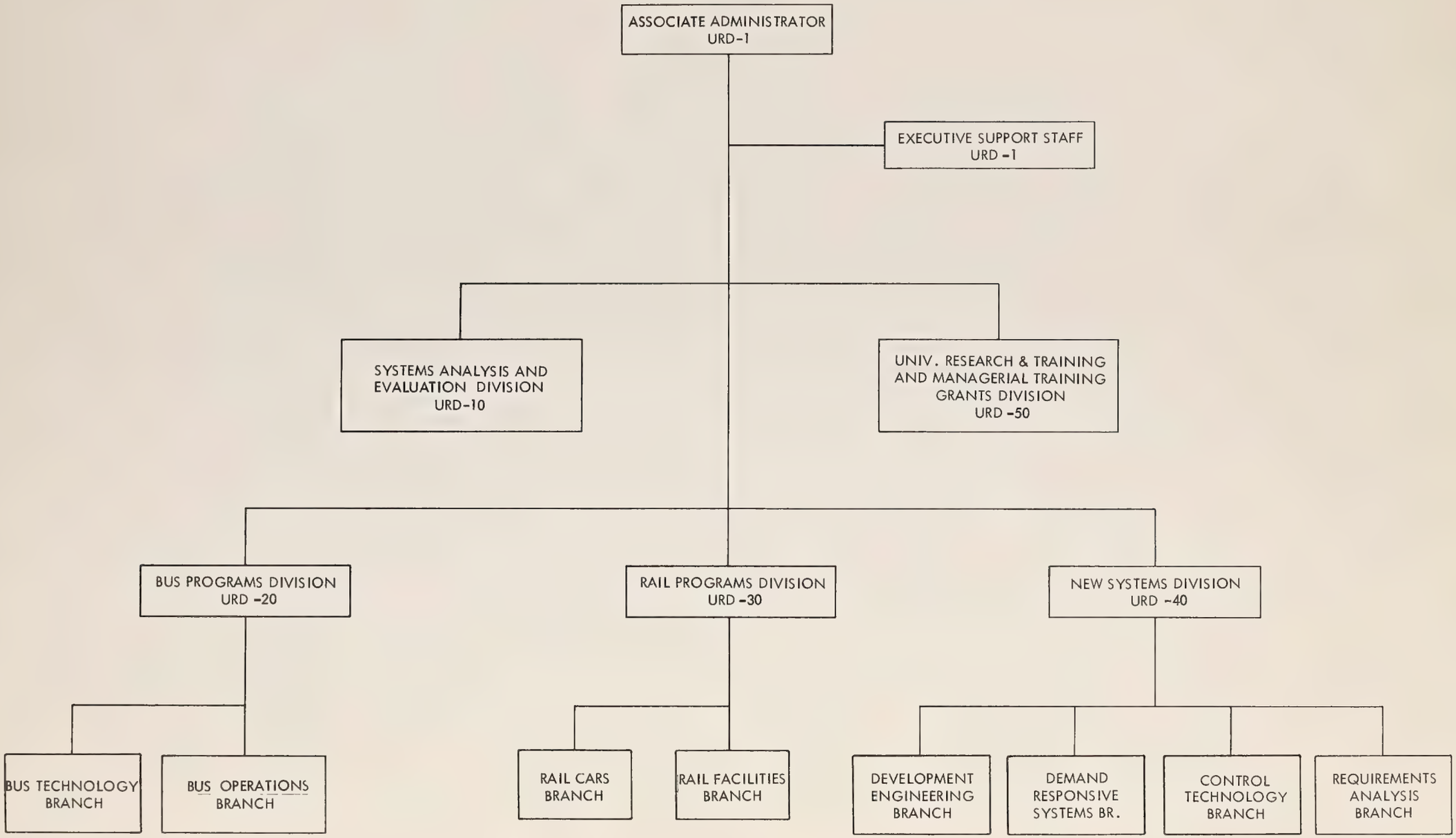
OFFICE OF PROGRAM PLANNING



OFFICE OF PUBLIC AFFAIRS



OFFICE OF RESEARCH, DEVELOPMENT AND DEMONSTRATION



REQUIRED CLAUSES

I. INVITATION TO BID

A. Statement of Financial Assistance. This contract is subject to a financial assistance contract between the project sponsor and the U. S. Department of Transportation.

B. Ineligible Bidders. In the event the bidder is on the Comptroller General's list of ineligible contractors for Federally financed or assisted work, any contract resulting from this bid may be cancelled, terminated or suspended by the Public Body.

C. Safety and Health Standards. A statement that the contractor and all subcontractors will comply with Section 107 of the Contract Work Hours and Safety Standards Act (83 Stat. 96).

D. Executive Order 11246 Provisions. A statement that the contractor will comply with all provisions of Executive Order 11246 regarding equal-employment opportunity.

II. CONTRACT SPECIFICATIONS

A. Contract Changes. "Any proposed change in this contract shall be submitted to the (insert project sponsor's name) for its prior approval."

B. Government Inspections. "The Government shall have access to the site of construction and shall have the right to inspect all project works."

C. Ineligible Contractors. "In event the contractor is on the Comptroller General's list of ineligible contractors for Federally financed or assisted construction, this contract may be cancelled, terminated or suspended by the Public Body."

D. Interest of Members of or Delegates to Congress. "No member of or delegate to the Congress of the United States shall be admitted to any share or part of this contract or to any benefit arising therefrom."

E. Audit and Inspection of Records. "The contractor shall permit the authorized representatives of the U. S. Department of Transportation and the Comptroller General of the United States to inspect and audit all data and records of the contractor relating to his performance under the contract."

F. Executive Order 11246 Provisions. The Public Body hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal-opportunity clause:

"During the performance of this contract, the contractor agrees as follows:

'(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

'(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

'(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

'(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

'(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

'(6) In the event of the contractor's noncompliance with the non-discrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

'(7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with

respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

'The Public Body further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, That if the Public Body so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

'The Public Body agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

'The Public Body further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the Public Body agrees that if it fails or refuses to comply with these undertakings, the administering

agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the Public Body under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such Public Body; and refer the case to the Department of Justice for appropriate legal proceedings.'"

G. Prohibited Interest. "No member, officer, or employee of the Public Body or of a local public body during his tenure or one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof."

H. Nondiscrimination Posters. See attached poster (pg.20).

I. Safety and Health Standards. "It is a condition of this contract, and shall be made a condition of each subcontract entered into pursuant to this contract, that the contractor and any subcontractor shall not require any laborer or mechanic employed in performance of the contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health or safety, as determined under construction safety and health standards promulgated by the U. S. Secretary of Labor, in accordance with section 107 of the Contract Work Hours and Safety Standards Act (83 Stat. 96)."

J. Project Signs. The contractor shall erect and maintain signs, satisfactory to UMTA, identifying the project and indicating Federal participation. (Suggested sign specifications and design are contained on pages 18 and 19 of this Appendix.)

K. Prime Contractor Participation. The prime contractor shall perform, on the site, with his own staff, work equivalent to at least 10 percent of the total amount of the construction work at the site. Only pay items of the construction contract will be used in computing the total amount of construction work at the site. The project sponsor may increase this minimum amount of prime contractor participation, depending upon the degree of specialization required to perform this work.

L. Warranty of Construction. For a period of one year from the date of completion, as evidenced by the date of final acceptance of the work, the Contractor warrants that work performed under this contract conforms to the contract requirements and is free of any defect of equipment, material or workmanship performed by the Contractor or any of his subcontractors or suppliers.

Under this warranty, the Contractor shall remedy at his own expense any such failure to conform or any such defect.

Nothing in the above intends or implies that this warranty shall apply to work which has been abused or neglected by the owner.

M. Construction Affirmative Action. The proposed contract must contain, in addition to the equal employment opportunity clause, any applicable bid conditions required by an areawide "hometown" or federally imposed plan for equal employment.

N. Patent Rights. Any patentable result arising out of this contract, as well as all information, designs, specifications, know-how, data, and findings shall be made available to the Government for public use, unless DOT shall in a specific case where it is legally permissible to determine that it is in the public interest that it not be so made available.

O. Motor Vehicle Safety Standards. The motor vehicles will comply with the Motor Vehicle Safety Standards as established by the Department of Transportation.

P. Motor Vehicle Pollution Requirements. When new motor vehicles are purchased with project funds, the sponsor must obtain from each vendor a certification in writing that:

* The horsepower of the vehicle is adequate for the speed range and terrain in which it will be required to operate and also to meet the demands of all auxiliary power equipment.

* All gases and vapors emanating from the crankcase of a spark-ignition engine are controlled to minimize their escape into the atmosphere.

* Visible emission from the exhaust will not exceed #1 on the Ringlemann Scale when measured six inches from the tail pipe with the vehicle in steady operation.

* When the vehicle has been idled for three minutes and then accelerated to 80 percent of rated speed under load, the capacity of the exhaust will not exceed #2 on the Ringlemann Scale for more than five seconds, and not more than #1 on the Ringlemann Scale thereafter.

These criteria for motor vehicles are now the responsibility of the Environmental Protection Agency. Any changes or revisions will be made by that Federal Agency.

Q. Labor Provisions. The following provisions shall be applicable to all construction contracts let by the Public Body in carrying out the Project involving $2000 or more. The contractor shall insert in any subcontracts the clauses set forth below and such other clauses as DOT or other appropriate instructions may require, and also a clause requiring the subcontractor to include these clauses in any lower tier subcontracts which they may enter into, together with a clause requiring this insertion in any further subcontracts that may in turn be made.

* Minimum wages. (i) All mechanics and laborers employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account [except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR, Part 3)], the full amounts due at time of payment computed at wage rates not less than those contained in the wage determination decision of the Secretary of Labor applicable to the Project, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics;

and the wage determination decision shall be posted by the contractor at the site of the work in a prominent place where it can be easily seen by the workers. For the purpose of this clause, contributions made or costs reasonably anticipated under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5 (a)(1)(iv). Also for the purpose of this clause, regular contributions made or costs incurred for more than a weekly period under plans, funds, or programs, but covering the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

(ii) The contracting officer shall require that any class of laborers or mechanics, including apprentices and trainees, which is not listed in the wage determination and which is to be employed under the contract, shall be classified or reclassified conformably to the wage determination, and a report of the action taken shall be sent by DOT to the Secretary of Labor. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics, including apprentices and trainees, to be used, the question accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for determination.

(iii) The contracting officer shall require, whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly wage and the contractor is obligated to pay a cash equivalent of such a fringe benefit, an hourly cash equivalent thereof to be established. In the event the interested parties cannot agree upon a cash equivalent of the fringe benefit, the question, accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for determination.

(iv) The contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, or any bona fide fringe benefits not expressly listed in section 1(b)(2) of the Davis-Bacon Act, or otherwise not listed in the wage determination decisions of the Secretary of Labor which is included in this contract, only when the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. Whenever practicable, the contractor should request the Secretary of Labor to make such findings before the making of the contract. In the case of unfunded plans and programs, the Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

* Withholding. DOT may withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices and trainees, employed by the contractor or any subcontractor on the work the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice or trainee, employed or working on the site of the work, all or part of the wages required by the contract, DOT may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

* Payrolls and basic records. (i) Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records will contain the name and address of each such employee, his correct classification, rates of pay (including rates of contributions or costs

anticipated of the types described in section 1(b)(2) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborers or mechanics include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(ii) The contractor will submit weekly a copy of all payrolls to the Public Body for transmission to DOT. The copy shall be accompanied by a statement signed by the employer or his agent indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor and that the classifications set forth for each laborer or mechanic conform with the work he performed. A submission of the "Weekly Statement of Compliance" which is required under this contract and the Copeland regulations of the Secretary of Labor (29 CFR, Part 3) and the filing with the initial payroll or any subsequent payroll of a copy of any findings by the Secretary of Labor under 29 CFR 5.5 (a)(1)(iv) shall satisfy this requirement. The prime contractor shall be responsible for the submission of copies of payrolls of all subcontractors. The contractor will make the records required under the labor standards clauses of the contract available for inspection by authorized representatives of DOT and the Department of Labor, and will permit such representatives to interview employees during working hours on the job.

* Apprentices and Trainees. (i) Apprentices. Apprentices will be permitted to work as such only when they are registered, individually, under a bona fide apprenticeship program registered with a State

apprenticeship agency which is recognized by the Bureau of Apprenticeship and Training, United States Department of Labor; or, if no such recognized agency exists in a State, under a program registered with the Bureau of Apprenticeship and Training, United States Department of Labor. The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than a ratio permitted to the contractor as to his entire work force under the registered program. Any employee listed on a payroll at an apprentice wage rate, who is not a trainee as defined in subparagraph (ii) of this paragraph or is not registered as above, shall be paid the wage rate determined by the Secretary of Labor for the classification of work he actually performed. The contractor or subcontractor will be required to furnish to the contracting officer written evidence of the registration of his program and apprentices as well as of the appropriate ratios and wage rates, for the area of construction prior to using any apprentices on the contract work.

(ii) Trainees. Trainees will be permitted to work as such when they are bona fide trainees employed pursuant to a program approved by the U. S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training, and, where paragraph 4(a) of this section is applicable.

* Apprentices and Trainees - Special Provisions. The following contract clauses shall be conditions of each Federal or federally-assisted construction contract in excess of $10,000 and the Public Body shall include the clauses, or provide for their inclusion, in each such contract.

(1) The contractor agrees:

(i) That he will make a diligent effort to hire for the performance of the contract a number of apprentices or trainees, or both, in each occupation, which bears to the average number of the journeymen in that occupation to be employed in the performance of the contract the applicable ratio as determined by the Secretary of Labor;

(ii) That he will assure that 25 percent of such apprentices or trainees in each occupation are in their first year of training, where feasible. Feasibility here involves a consideration of (a) the availability of training opportunities for first-year apprentices, (b) the hazardous nature of the work for beginning workers, (c) excessive unemployment of apprentices in their second and subsequent years of training.

(iii) That during the performance of the contract he will, to the greatest extent possible, employ the number of apprentices **or** trainees necessary to meet currently the requirements of subdivisions (i) and (ii) of this subparagraph.

(2) The contractor agrees to maintain records of employment by trade of the number of apprentices and trainees, apprentices and trainees by first year of training, and of journeymen, and the wages paid and hours of work of such apprentices, trainees and journeymen. The contractor agrees to make these records available for inspection upon request of the Department of Labor and the Department of Transportation.

(3) The contractor who claims compliance based on the criterion stated in paragraph 1(b) of the "Criteria for Measuring Diligent Effort" (attached to this Contract) agrees to maintain records of employment as described in paragraph (2) of the "Apprentices and Trainees -- Special Provisions" section of the Labor Provisions clause for third-party contracts. The contractor agrees to make these records available for inspection upon request of the Department of Labor and the Department of Transportation.

(4) The contractor agrees to supply one copy of the written notices required in accordance with paragraph 1(c)(1) of the "Criteria for Measuring Diligent Effort" at the request of the Department of Transportation compliance officer. The contractor also agrees to supply at three-month intervals during performance of the contract and

after completion of contract performance, a statement describing steps taken toward making a diligent effort and containing a breakdown by craft, of hours worked and wages paid for first-year apprentices and trainees, other apprentices and trainees, and journeymen. One copy of the statement will be sent to the Department of Transportation, and one to the Secretary of Labor.

(5) The contractor agrees to insert in any subcontract under this contract the requirements contained in this section. Paragraphs 1 through 4 of the "Apprentices and Trainees -- Implementation Guidelines-Criteria for Measuring Diligent Effort" shall also be attached to each such contract for the information of the contractor. The term "contractor" as used in such clauses in any subcontract shall mean the subcontractor.

(6) The provisions of this section shall not apply with regard to any contract, if the Department of Transportation finds it likely that making of the contract with the clauses contained in this section will prejudice the national security.

* Compliance with Copeland Regulations (29 CFR, Part 3). The contractor shall comply with the Copeland Regulations (29 CFR, Part 3) of the Secretary of Labor which are herein incorporated by reference.

* Contract termination; debarment. A breach of clauses described to this point may be grounds for termination of the contract, and for debarment as provided in 29 CFR 5.6.

* Overtime requirements. No contractor or subcontractor, contracting for any part of the contract work which may require or involve the employment of laborers or mechanics, shall require or permit any laborer or mechanic in any workweek in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek, unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, as the case may be.

* Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (7), the contractor and any subcontractor responsible therefor shall be liable to any affected employee for his unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the clause set forth in subparagraph (7), in the sum of $10 for each calendar day on which such employee was required or permitted to work in excess of eight hours or in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in subparagraph (7).

* Withholding for liquidated damages. DOT may withhold or cause to be withheld from any monies payable on account of work performed by the contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for liquidated damages as provided in the clause set forth in subparagraph (8).

APPRENTICES AND TRAINEES -- IMPLEMENTATION GUIDELINES

The following information is sent to the Grantee to be attached to all construction contracts for the information of the contractor.

CRITERIA FOR MEASURING DILIGENT EFFORT

A contractor will be deemed to have made a "diligent effort" as required by the grant contract during the performance of his contract if he accomplishes at least one of the following three objectives:

(a) The contractor employs on this project a number of apprentices and trainees by craft as required by the contract clauses at least equal to the ratios established in accordance with the "Apprentices and Trainees -- Special Provisions" section of the Labor Provisions clause for third-party contracts.

(b) The contractor employs, on all his public and private construction work combined in the labor market area of this project, an average number of apprentices and trainees by craft as required by the contract clauses, at least equal to the ratios established in the above-cited section of the labor provisions.

(c) (1) Before commencement of work on the project, the contractor if covered by a collective bargaining agreement will give written notice to all joint apprenticeship committees; the local U. S. Employment Security Office; local chapter of the Urban League, Workers Defense League, or other local organization concerned with minority employment; and the Bureau of Apprenticeship and Training Representative, U. S. Department of Labor, for the locality. The Contractor, if not covered by a collective bargaining agreement, will give written notice to all the groups stated above except joint apprenticeship committees; this contract also will notify all non-joint apprenticeship sponsors in the labor market area.

(2) The notice will include at least the contractor's name and address, the job site address, value of contract, expected starting and completion dates,

the estimated average number of employees in each occupation to be employed over the duration of the contract, and a statement of his willingness to employ a number of apprentices and trainees at least equal to the ratios established in the previously referenced section of the labor provisions clause for third-party contracts.

(3) The contractor must employ all qualified applicants referred to him through normal channels (such as the Employment Service, the Joint Apprenticeship Committees and, where applicable, minority organizations and apprentice outreach programs who have been delegated this function) at least up to the number of such apprentices and trainees required by the previously reference labor provisions section.

DETERMINATION OF RATIOS OF APPRENTICES OR TRAINEES TO JOURNEYMEN

The Secretary of Labor has determined that the applicable ratios of apprentices and trainees to journeymen in any occupation shall be as follows:

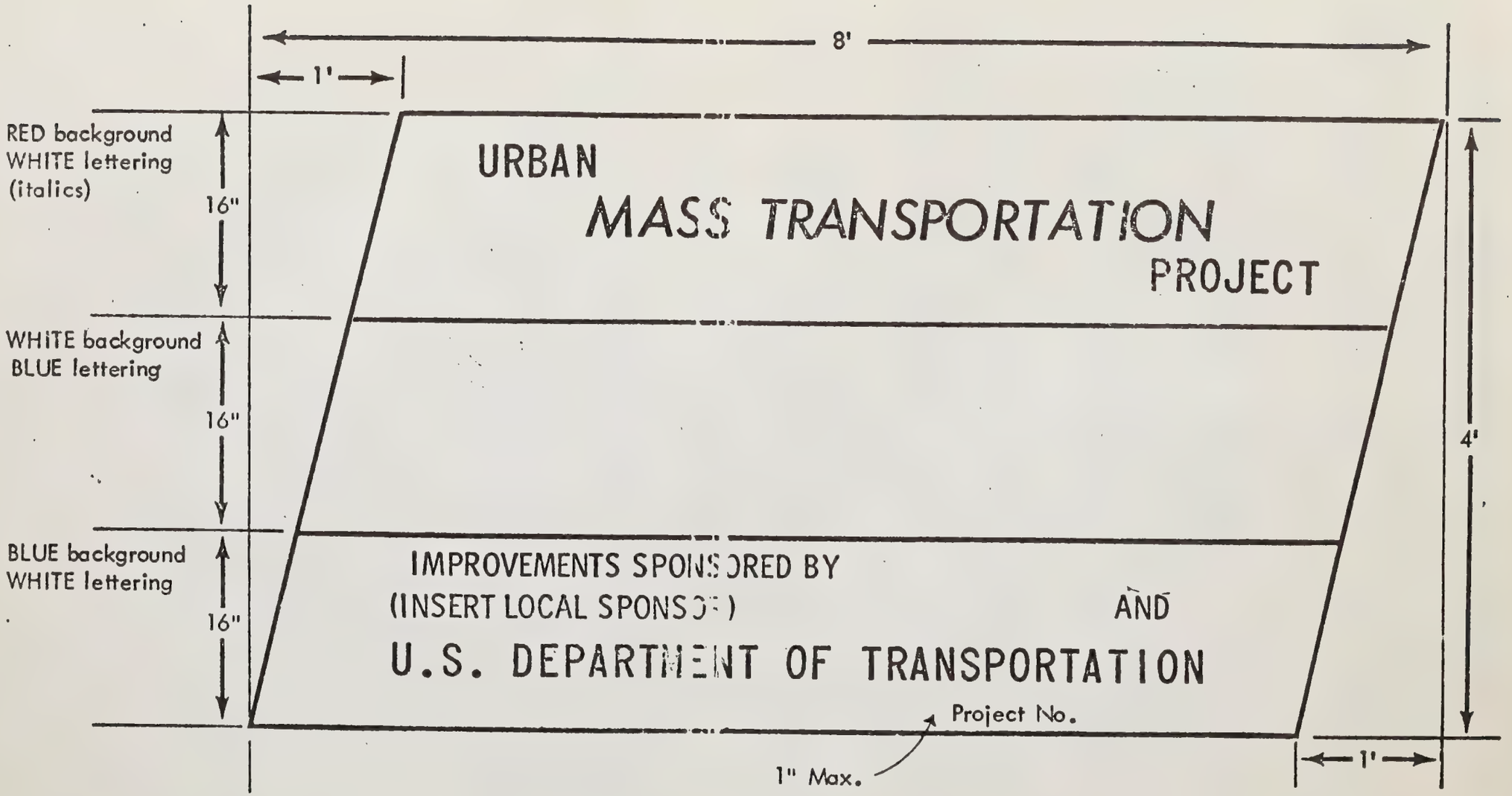
(a) In any occupation the applicable ratio of apprentices and trainees to journeymen shall be equal to the predominant ratio for the occupation in the area where the construction is to be undertaken, set forth in collective bargaining agreements or other employment agreements, and available through the Regional Manager for the Bureau of Apprenticeship and Training for the applicable area.

(b) For any occupation for which no such ratio is found, the ratio of apprentices and trainees to journeymen shall be determined by the contractor in accordance with the recommendations set forth in the standards of the National Joint Apprentice Committee for the occupation, which are filed with the U. S. Department of Labor's Bureau of Apprenticeship and Training.

(c) For any occupation for which no such recommendations are found, the ratio of apprentices and trainees to journeymen shall be at least one apprentice or trainee for every five journeymen.

VARIATIONS, TOLERANCES, AND EXEMPTIONS

Variations, tolerances, and exemptions from any requirement of this part with respect to any contract or subcontract may be granted when such action is necessary and proper in the public interest, or to prevent injustice, or undue hardship. A request for a variation, tolerance, or exemption may be made in writing by any interested person to the Secretary, U. S. Department of Labor, Washington, D. C. 20210.



Lettering: Futura Bold Italic (top)
Futura Bold (center)
Futura Demi Bold (bottom)

Specifications for Project Signs

1. One sign shall be erected at each major entrance to the project for maximum public identification of the work, and shall be maintained in good condition until completion of the project. Upon completion, the signs shall be removed.

2. Signs are to be cut from standard 4' x 8' waterproof plywood sheets, or other suitable material, and shall meet the design standards as shown in the attached figure.

3. The size may be varied to meet special or local requirements, but proportions shall be maintained.

4. The center white panel will indicate briefly the nature of the project, such as "RAPID TRANSIT TUNNEL TO CHARLESTOWN" or "KEATING BUS GARAGE AND TERMINAL." Avoid maps or lengthy descriptions. Copy should be limited to two lines, if possible.

5. No information shall be included on the project signs except that stipulated in the above paragraphs.

Equal Employment Opportunity is the Law

DISCRIMINATION is PROHIBITED

BY THE CIVIL RIGHTS ACT OF 1964
AND BY EXECUTIVE ORDER NUMBER 11246

Title VII of the Civil Rights Act of 1964
Administered by

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Prohibits discrimination because of RACE, COLOR, RELIGION, SEX or NATIONAL ORIGIN

By EMPLOYERS with 75 or more employees, by LABOR ORGANIZATIONS with a hiring hall or 75 or more members, by EMPLOYMENT AGENCIES, and by JOINT LABOR-MANAGEMENT COMMITTEES FOR APPRENTICESHIP OR TRAINING. After July 1, 1967, employers and labor organizations with 50 or more employees or members will be covered; after July 1, 1968, those with 25 or more will be covered

ANY PERSON
who believes he or she has been discriminated against
SHOULD CONTACT

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G Street, N.W.
Washington, D. C. 20506

Executive Order Number 11246
Administered by

THE OFFICE OF FEDERAL CONTRACT COMPLIANCE

Prohibits discrimination because of RACE, COLOR, CREED or NATIONAL ORIGIN, and requires affirmative action to ensure equality of opportunity in all aspects of employment

By all FEDERAL GOVERNMENT CONTRACTORS AND SUBCONTRACTORS, and by CONTRACTORS PERFORMING WORK UNDER A FEDERALLY ASSISTED CONSTRUCTION CONTRACT, regardless of the number of employees in either case

ANY PERSON
who believes he or she has been discriminated against
SHOULD CONTACT

THE OFFICE OF FEDERAL CONTRACT COMPLIANCE
U. S. Department of Labor
Washington, D. C. 20210

SAMPLE FORMAT

(For staff use only)

A P P L I C A T I O N

of the

********** ********** **********

For a

MASS TRANSPORTATION CAPITAL IMPROVEMENT GRANT

under the

URBAN MASS TRANSPORTATION ACT OF 1964

(Date)

NOTE: Submit original and five copies (11 copies, if a commuter railroad project) to Urban Mass Transportation Administration, U. S. Department of Transportation, Washington, D. C. 20590

INDEX

	PAGE NO.
Application Letter	3
Resolution of the ********** ***** **********	4
Assurance of Compliance Under Civil Rights Act ..	6
Sample Opinion of Counsel	17
Certification	19

Exhibit

A	Project Description	20
B	Public Transportation System	22
C	Project Justification	24
D	Revenue Financing	28
E	Net Project Cost and Grant Funds	30
F	Planning	32
G	Public Transportation Program	34
H	Use of Project Facilities	37
I	Labor	38
J	Public Hearing	40
K	Relocation	43
L	Protection of the Environment	45
M	Elderly & Handicapped	48
N	Map of Jurisdiction	49
O	Evaluation of Flood Hazards	51

Supplementary Information for Applicants - (Do Not Include in Application)

Employees Affected by Projects..... 52

Purchase of Motor Vehicles - Air Pollution Criteria.... 54

Land Acquisition..... 55

NOTE: Titles of all items on Index (except Exhibit O) must be included verbatim, and topic addressed in each application. Also, those portions which must be included verbatim in all applications are marked with vertical broken line, as follows: 

(Letterhead)

(Date)

Urban Mass Transportation Administration
U. S. Department of Transportation
Washington, D. C. 20590

Gentlemen:

The **********applies for a grant of $**********under the Urban Mass Transportation Act of 1964 to assist in financing a capital improvement project generally described as:

(a) Purchase of ** new ** - passenger, air-conditioned diesel transit buses.

(b) Construction of **********.

The applicant represents that the data submitted to the Department of Transportation in support of this application are true and correct.

Sincerely,

(Title)

(sample)
RESOLUTION

Resolution No. _____

Resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Urban Mass Transportation Act of 1964, as Amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as Amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder:

NOW, THEREFORE, BE IT RESOLVED by (Governing Body of Applicant)

1. That (Designated Official) is authorized to execute and file an application on behalf of (Exact Legal Name of Applicant) with the U. S. Department of Transportation, to aid in the financing of (Brief Description of Project).

2. That (Designated Official) is authorized to execute and file with such application an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That (Name of Authorized Representative), (Title), is authorized to furnish such additional information

as the U. S. Department of Transportation may require in connection with the application or the project.

CERTIFICATE

The undersigned duly qualified and acting (Title of Officer) of the (Exact Legal Name of Applicant) certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the (Governing Body of Applicant) held on_____, 19_____.

If applicant has an official seal, impress here.

_____
(Signature of Recording Officer)

_____
(Title of Recording Officer)

_____
(Date)

Attachment

ASSURANCE OF COMPLIANCE UNDER CIVIL RIGHTS ACT

The attached Departmental Standard DOT Title VI Assurance is applicable to all UMTA programs under which grants are extended. As indicated, appendices A or C may be applicable dependent upon the type of project and the activities involved. The general assurance undertakes to alert the recipient to the occasion and necessity for including these additional clauses. For example, appendix C is to be consulted when the grant recipient undertakes "the subsequent transfer of real property acquired or improved under [Urban Mass Transportation Programs]."

Execution of the Assurance is required of all applicants for UMTA assistance, whether by loan or grant, as part of the application.

The Assurance obligates the recipient to include in all of its contracts, including procurements of material and equipment, a further assurance binding contractors to the anti-discrimination provisions of Title VI and obligating them to further bind subcontractors.

It further obligates the recipient to notify all bidders through solicitations that the recipient will affirmatively insure full opportunity for minority businesses to bid on contracts, free from discrimination.

Recipients who seek to subsequently transfer or grant access to property acquired pursuant to an UMTA-assisted project, are required by the new Assurance to obligate the transferee or licensee to the anti-discrimination provisions of Title VI.

ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
(DEPARTMENT OF TRANSPORTATION)

The (Title of Recipient) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Urban Mass Transportation Administration (UMTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the (Project Number):

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with a project under the Urban Mass Transportation Act of 1964, as amended (the UMTA Act) and, in adapted form in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.

7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under section 10(a) of the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to make selection of the trainee or fellow without regard to race, color or national origin.

8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation act of 1964, as amended, the assurance shall obligate the recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color or national origin.

9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.

10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under (Project Number); and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under (Project Number).

11. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient

by the Department of Transportation under Federal Urban Mass Transportation Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Urban Mass Transportation Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATE_____

_____
(Recipient)

by _____
(Signature of Authorized Official)

Attachments

Appendices A, B, and C
Department of Transportation

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitiations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Urban Mass Transportation Administration (UMTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a contractor is in the exclusive possession of another who fails or refuses to

furnish this information, the contractor shall so certify to the Recipient, or the Urban Mass Transportation, as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Urban Mass Transportation Administration may determine to be appropriate, including, but not limited to:

(a) Withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) Cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Urban Mass Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threateded with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon, in accordance with the Urban Mass Transportation Act of 1964, as amended, the Regulations for the Administration of Federal Urban Mass Transportation Programs and the policies and procedures prescribed by the Urban Mass Transportation Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Name of Recipient) all the right, title, and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HEBENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Name of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the (Name of Recipient), its successors and assigns.

The (Name of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby

covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such land hereby conveyed (,) (and)* (2) that the (Name of Recipient) shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permitee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964; and as said Regulations may be amended.

(Include in licenses, leases, permits, etc)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by (Name of Recipient) pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases, add "as a covenant **running with** the land") that (1) person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permitee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

Sample Opinion of Counsel

October 20, 1970

Honorable Harold R. Snodgrass
Commissioner,
Department of Public Property
1020 Municipal Service Building
Milton, North Carolina 19054

Re: Application for Financial Assistance - Urban Mass Transportation Act of 1964 - CENTER CITY COMMUTER CONNECTION

Dear Commissioner Snodgrass:

This communication will serve as the requisite opinion of counsel to be filed with the United States Department of Transportation in connection with the application of the City of Milton for financial assistance pursuant to the provisions of the Urban Mass Transportation Act of 1964, as amended, for the Center City Connection Project.

1. The City of Milton is a public body authorized to contract for and receive a Federal grant, being a first-class city in the Commonwealth of North Carolina, endowed with broad powers of home rule under its Home Rule Charter, adopted April 17, 1951.

2. The City of Milton is authorized under its Home Rule Charter, Section 5-900(c), to provide and assist public transportation by acquisition, construction and operation of existing or additional transit facilities. This assistance may be provided directly by the City or by lease arrangements with other parties.

3. The authority of the City of Milton to provide its share of the project funds is set forth in the City's 1971-76 Capital Program, approved by City Council, May 29, 1970. The affect of this ordinance is to make funds available for this project. Thus, in line 94, at page 34, the Capital Program provides for financing the Center City Commuter Connection and allied facilities, including

land acquisition by the use of Federal funds in the amount of $45,800,000, self-sustaining new loan fund in the amount of $10,000,000; tax supported operating revenue in the amount of $786,000; and tax supported new loan funds in the amount of $7,074,000. Funds granted by the Commonwealth of North Carolina for the purposes of this project amount to $8,839,000.

4. The Department of Public Property's authority to contract for and receive a Federal grant is contained in Resolution No. 217 which was adopted by the Council of the City of Milton on June 23, 1966.

5. I have reviewed the pertinent Federal, State and local laws including the pertinent provisions of the Home Rule Charter, adopted by the electors April 17, 1951, and I am of the opinion that there is no legal impediment to your making this application. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation which might in any way adversely affect the proposed project with the exception of the pending reorganization of the North Carolina Central Railroad presently before the United States District Court for the Eastern District of North Carolina. This matter may require the trustees to obtain court approval of any action they intend taking with respect to the lease arrangement or operation arrangements they may desire to enter into.

Very truly yours,

James A. Morton
Assistant City Solicitor

NOTE:
In the event the proposed project could result in the institution of eminent domain proceedings by the Applicant, the Opinion of Counsel should include a reference to any relevant statutes which might have a bearing on such proceedings.

CERTIFICATION

In order to meet the requirement of section 3(d) of the Act, the final application must include the Certification contained below. The applicant is cautioned that this certification cannot be completed until it has held a public hearing (see Exhibit J), has considered the environmental impacts of the proposed project (see Exhibit K), and has found that the proposed project is consistent with official plans for the comprehensive development of the urban area (see Exhibits F and G and OMB Circular A-95 requirements).

_____
(Name of Applicant)

HEREBY CERTIFIES THAT, in the development of this application for a Mass Transportation Capital Improvement Grant under the Urban Mass Transportation Act of 1964, as amended, it:

1. Has afforded adequate opportunity for public hearings pursuant to adequate prior notice, and has held such hearings, in accordance with the requirements set forth by the Urban Mass Transportation Administration.

2. Has considered the economic and social effects of this proposed project and it's impact on the environment.

3. Has found that this proposed project is consistent with official plans for the comprehensive development of the urban area.

Date_____ _____
Name of Applicant

By_____
(President, Chairman of the Board, or Comparable Authorized Official)

EXHIBIT A. PROJECT DESCRIPTION

The project consists of:

1. Purchase of *** new *** passenger air-conditioned diesel transit buses, less tires.

Based on *** it is estimated that each vehicle will cost $***. Delivery and conditioning costs are estimated at $*** per vehicle. It is, therefore, estimated that the *** vehicles included in this item will cost $*** each, or a total $***. (Any related equipment, such as fare boxes, spare wheels, engines, etc., must be listed separately.)

2. Construction of ***** etc.

The project construction work is to be presented so that each construction contract is fully described and its estimated cost appears as separate line items in the project budget. In the construction of mass transportation facilities, consideration should be given to the inclusion of dual-use public fallout shelter. Information concerning fallout shelter requirements and criteria can be obtained from local civil defense directors. The additional cost of providing dual-purpose public fallout shelter is an eligible project cost. Specific reference to the provision of fallout shelter and an estimate of the additional cost should be included in this exhibit, when appropriate.

ESTIMATED PROJECT BUDGET

1.	Purchase of *** new *** passenger buses	$****
2.	Construction of ****	$****
	Subtotal	$******
	Contingencies (****%)	***
	Estimated Gross Project Cost	$*******

Purchases will be made through competitive bidding in accordance with the established procedures of the applicant (Describe and give reasons for any work to be done by employees of the applicant or without competitive bidding).

Vendors of new vehicles will be required to certify that the vehicles will comply with the air pollution criteria currently established by the Environmental Protection Agency (Note: These criteria are described on page _____).

(Insert the Land Acquisition Assurance outlined on page _____, if applicable.)

***

The Estimated Project Budget should be as detailed as possible in its description of equipment (passenger size, engine type, and any special or optional equipment such as air-conditioning, Environmental Improvement Packages, etc.) and facilities (number of and purpose of buildings, square footage, dimensions, size of sites, etc.).

The budget must clearly indicate what is included in the project and explain the basis of the cost estimate for each item. The allowance for contingencies should be based on the degree to which the cost estimate is judged to be firm--5% is a reasonable allowance for buses, 10% in most other circumstances. Outline plans and specifications, when available, should accompany the application (one copy only). Specifications for buses should include the certification on air pollution requirements contained in the above paragraph.

It must be stressed that UMTA's approval of a project does not include approval of plans and specifications contained in the application. Final specifications and plans must be submitted to UMTA for review and written concurrence before the advertising for a solicitation of bids.

EXHIBIT B. PUBLIC TRANSPORTATION SYSTEM

(The following is illustrative of the type of information to be covered in this Exhibit).

1. ******* Transit, Inc.

The principal mass transportation carrier in the urban area is ******* Transit, Inc. This carrier provides service within the City limits and also serves *** subdivisions outside, but adjacent to, the City line.

******* Transit, Inc., is a subsidiary of the ******* from which it now leases *** transit buses. ******* of these were new in 19**, and the remaining **** were purchases in 19**. Garage and shop facilities are provided by the City at a rental of $1 per year. (Note: Attach a Roster of Equipment as Exhibit B, Attachment 1. Show quantity, year of manufacture, manufacturer, model number, passenger capacity, fuel, and condition, to include trends in repair costs or down time, number of service interruptions, etc.)

Service is provided on *** routes, over *** miles of City streets, between *** a.m. and *** p.m., Monday through Friday, and between *** a.m. and *** p.m. on Saturdays, on *** minute headways.

Fares are:	Adult	****¢	Tokens *** for $*.**
	Schools	****¢	Tickets ** for $*.**
	Transfers between routes:		No Charge

Since *** ridership on ******* Transit, Inc., has declined from approximately *** million to approximately $**.* million a year. Figures for the past *** years indicate a continued decline, although at a somewhat lesser rate than in the other years since ****.

Year	Riders
1966	******
1967	******
1968	******
1969	******
1970	******
1971	******

A significant portion of riders are school children (**** in 1969), since the ******* Board of Education does not provide any form of transportation in the operation of the school system. (Describe here any school bus service performed, including contracts, special routes or runs, fare practices, etc.)

******* Transit buses are available for incidental charter service within the City and for more than *** miles outside the City limits. Revenues from this source in 19** totaled ****.

2. Financial Arrangement between City and **** Transit, Inc.

The existing Lease and Supervisory Agreement between the City and ****** Transit, Inc., provides ******* (Describe major provisions).

Copies of the Agreement, as amended, are attached. (Attachments 2 and 3 to this Exhibit)

3. Other Mass Transportation Carriers in the ******* Urban Area.

a. ******* Suburban Lines. This carrier operates scheduled service with **** buses in **** and **** townships and between these areas and downtown *******. This carrier operates with closed doors with the City of *****, except (a) to pick up or discharge passengers to and from areas beyond the City limits, and (b) for *** blocks on ***, between *** and *** streets, where service is not provided by any route of ******* Transit, Inc.

b. ***** Bus Service. This company provides only charter service.

c. ***** provides inter-city service between ***** and *****, and operates with closed doors except to pick up and discharge passengers to and from areas beyond the service area of ******* Transit, Inc.

(Describe any joint fare, transfer, or other arrangements for the coordination among carriers serving the urban area.)

(Include a brief history of mass transportation in the urban area.)

(Each carrier's routes are to be identified on the map included as Exhibit N of this application.)

(To the extent feasible, this Exhibit should identify the composition of current ridership, trip purposes, origins and destinations, etc. The narratives in Exhibits M and N may be referenced, where appropriate.)

EXHIBIT C. PROJECT JUSTIFICATION

Using the following format, describe the benefits to be derived from the facilities or equipment and relate these benefits to the transportation program of the urban area.

The data submitted in this Exhibit must be sufficient to support the required statutory determination (Section 4(a) of the Act) --". . . that the facilities and equipment . . . are necessary for the sound, economic, and desirable development of . . ." the urban area.

General Comments

This involves: (1) the benefits to the individual user, (2) the benefits to the operating carrier (improvements in maintenance economies, dependability, etc.), and (3) the benefits to the system area and the urban area as a whole. The latter benefits can best be described in relationship to area planning objectives and the program for a "unified or officially coordinated public transportation system."

This Exhibit should identify any proposed changes in service levels, especially for those dependent on public transportation, such as more frequent scheduling of service; efforts to promote increased patronage; special express bus service for the commuting labor force or other service changes consistent with local societal goals. Reference may be made to Exhibit G, if this information appears there in detail.

This Exhibit should identify the proposed project's probable immediate (1st year) and longer term (2-4 years) impact upon maintaining or increasing potential ridership, particularly by those dependent on public transportation. There must be evidence of some significant number of continuing riders under current conditions, particularly of the local public agency.

Specific reference should be made to the relationship of the project of other local undertakings for community development -- downtown revitalization, urban renewal, public housing programs, etc.

To the extent that UMTA's Research, Development and Demonstration program produces marketable and economically feasible results (hardware and software), grant applicants will be expected to consider them, and substitute them for inferior goods or methods, if this can be done as a practical matter. An applicant will not be eligible for any assistance, however, if he refuess or fails to meet a specification in the following cases:

-- Where the specification/method is clearly understood to be the prevailing industry standard;

-- Where the market mechanism does not induce the use or hardware of systems in the public interest; e.g., air pollution, noise control devices.

(The use of new technology or systems is not per se an objective of the Capital Grant program. The technology itself is only a means to an end. But encouraging its use is consistent with a major purpose of the Urban Mass Transportation Act related to development of improved facilities, equipment, techniques and methods.)

Specific Comments

This involves a detailed justification supporting each major element of the proposed project.

APPLICATIONS for MEDIUM or LARGE SYSTEMS (urban areas with populations of 250,000 or more.)

This Exhibit must indicate the extent to which the proposed project relates to relief of congestion in corridors within which vehicular traffic would generally be experiencing the following: (1) peak-hour travel speeds of 20 mph or less, (2) service at level D or lower (per HRB Special Report 87, Highway Capacity Manual, 1965), and (3) traffic volume-to-capacity ratio approaching one during a.m. and p.m. peak travel hours.

APPLICATIONS for LARGE SYSTEMS (urban areas with a population of 1,000,000 or more.)

This Exhibit must include all of the above, plus the following: for large scale projects--generally those with a net project cost of over $10 million--UMTA may require "before and after" analyses to determine the impact of the project with respect to specified objectives. UMTA will discuss with the applicant the procedures, methodology, financing, and technical resources for undertaking such studies. The results of these discussions should be documented in this Exhibit.

APPLICATIONS for LARGE SYSTEMS, RAIL OR OTHER GRADE-SEPARATED TRANSIT

This Exhibit must include all the above, plus address the following points, either by means of detailed narrative, or specific reference to the comprehensive regional transportation plan and the project plan:

a. The regional transportation plan is truly comprehensive in terms of geography, population, alternative transportation modes and land-use patterns, and has a workable timetable for implementation.

b. The regional transportation plan satisfactorily accommodates all major development and redevelopment projects identified as "possible," all major forecast changes in land use, and emerging social welfare requirements to the extent they can be clearly identified and are amenable to improvement by transportation.

c. The financing plan is fully developed, or the gaps and their time-phasing significance are clearly identified (including costs and revenues for research and development; investment and operating requirements for construction of the project and the first 1-3 years, 3-5 years, and 5-10 years of operation) of the proposed transit system or project.

d. That the applicant has a workable program for implementation of planned requirements other than those under consideration for funding by UMTA. Especially sought is some indication of attention to the possibility of affecting congestion through non-capital intensive means.

e. That the systems engineering, architectural and technical features of the system or project provide maximum consideration of environmental impact--air pollution; noise pollution; displaced families; acreage used in alternative proposals; property taxes under alternative proposal; zoning changes; and such other consideration of environmental impact as may be within the purview of the grant applicant. Special attention should be given to planning land-use around stations and terminals.

In evaluating the relative impact of the proposed project on congestion, the applicant should use indicators such as those listed below, to the extent this is feasible. It is recognized that their applicability to incremental projects within existing systems may be limited in some respects. The indicators are to apply to time periods of 1-3, 3-5, and 5-10 years from the date of project completion.

a. Daily passengers boarded per dollar of net project cost (NPC).

b. Daily passenger-miles per dollar of NPC.

c. Increase in passenger-miles per man year.

d. Increase in passenger-miles per day.

EXHIBIT D. PROJECT FINANCING

1. Proceeds of sale of facilities or equipment to be replaced. $****

(Proceeds of sale of facilities to be replaced by the capital improvements covered by the project must be estimated and applied to reduce Project Cost. Describe facilities (if none, or if vehicles are to be "cannibalized," so indicate) and indicate (a) how they will be disposed of and (b) basis of estimating proceeds of sale).

2. Financing from Transportation System Revenues. $****

Estimate that portion of Gross Project Cost which can be financed from current revenues of the transit system. Please note that these estimates are to be based on the current revenues of the entire transit system, including charter and incidental revenues, and not only that part to be assisted by this proposed project. Identify sources of revenues and indicate how such financing will be arranged.

(If no financing from current revenues of the transit system is possible, so state and explain in detail why this is the case)

(Attach to this Exhibit (1 copy only): (a) audited or certified financial statements covering the operations of the transit system during the past five years and (b) a five-year financial statement indicating all expected costs and revenues of the proposed project. If a breakeven operation is not anticipated on the basis of forecasts of traffic generated by desired service levels and fares and resultant finances for the next five years, the applicant must indicate the means by which funds will be available to meet all prospective operating deficits for at least five years)

3. Private Financing. $****

(Describe efforts made to obtain private financing for the capital improvements covered by this project. If such efforts have not been made, this should be fully explained.)

(Include also in this Exhibit a statement of any financial assistance--State, county or local--which has been undertaken to preserve or improve the local public transportation system, such as tax abatement of other assistance to private carrier, use of general funds to cover operating deficits, etc., and cite the statutes under which this assistance is rendered).

APPLICATIONS for LARGE SYSTEMS, COMMUTER RAILROAD

This exhibit must include the above, plus the following:

The Federal share of fixed plant improvements which may benefit other railroad services will be reduced by the percent of total benefits obtained by freight and intercity passenger service, if this can be reasonably ascertained. And if so, the cost and benefit allocation must be specified in this Exhibit and be used in computing net project cost (Exhibit E).

EXHIBIT E. NET PROJECT COST AND GRANT FUNDS

Estimated gross project cost (from Exhibit A) ---- $

Deduct Project financing (from Exhibit D) ---------- $ _____

Estimated Net Project Cost ---------- $

Federal Grant requested (2/3 of net project cost) $

Local contribution (1/3 of net project cost) ----- $ _____

Total (Equals Net Project Cost) ---------- $

***

The local contribution will be made in cash by the City of *******, from the sources other than Federal funds or transit revenues. Funds are currently available in ****. Attach copies of appropriating legislation and other pertinent documentation that indicates the specific source and amount of the funds and when the funds will be available. (Note: If funds are not currently available, describe expected source. Also describe fully any public land, materials or other property, or services of ascertainable value proposed to be credited to the local share.)

It is further understood that no refund or reduction of the local contribution (exclusive of the additional contribution referred to above) shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant.

The final 10% of the Federal grant may be withheld pending the final audit and closeout of the project.

***

The applicant must provide a table that shows the actual disbursements of Federal funds required, by year, to complete the project using the Federal fiscal year of project approval as the base year. The following is a sample cash disbursement schedule:

Period	Net Project Costs	Federal Grant
First Quarter (After Project Approval)	$ ***	$ ****
Second Quarter	***	****
Third Quarter	***	****
Fourth Quarter	***	****
First FY Total	***	****
Second FY Total	***	****
Etc.		

EXHIBIT F. PLANNING

UMTA will determine whether the area is eligible under the Regular Program planning requirements, or whether the area is ineligible. This determination will be made through contact with the agencies named in the preliminary capital grant application. If a submission of material is necessary, UMTA will make that request of the areawide planning agency. A copy of this request will go to the project applicant. This may necessitate a cooperative effort between the grant applicant and the planning agency, in order to prepare the submission. The Urban Mass Transportation Planning Requirements Guide provides a detailed explanation of the planning requirements for UMTA capital grants.

In this section of the application, a brief description of the status of comprehensive and transportation planning and transit planning and programming is required. This Exhibit should also list the names, addresses, telephone numbers of the areawide (regional) planning agency, and the metropolitan and State clearinghouses in accordance with OMB Circular A-95.

APPLICATIONS for LARGE SYSTEMS (urban areas with a population of 1,000,000 or more.)

This Exhibit must include all the above, plus clearly demonstrate that the proposed project was chosen after alternative transport schemes were considered and fully evaluated, the points of analysis including:

(1) Consideration of previous project investments and maximizing the efficiency of current facilities and equipment.

(2) Examination of all reasonable mechanical alternatives, of usage of newest state-of-the-art technology, and adaptability of the project to future technological advances on a schedule permitting timely provision of such advances.

(3) Analyses of alternative systems on the basis of full system costs (research and development, investment and operating) over at least two five-year periods, where applicable. UMTA and the grant applicant will discuss the applicability of this requirement, and methodology to be used.

(4) Examination of alternative transit systems, based upon level of service to transit riders, to include such considerations as:

-- Door-to-door travel time;

-- Waiting periods at terminals and transfer points;

-- User-comfort and convenience at terminals, transfer points and on transit vehicles;

-- Protection of transit patronage from inclement weather during waiting periods at terminals and transfer points; and

-- Design of project to permit use by elderly, handicapped or disabled transit users.

EXHIBIT G. PUBLIC TRANSPORTATION PROGRAM

(See the HUD Urban Mass Transportation Planning Requirements Guide, under the hearing "D. Transit Planning and Programming.")

Describe fully in this Exhibit:

1. Transit Development Program

2. Plan for Maintenance of the Transit Development Program

Attach to this Exhibit (one copy only) documents relating to the Transit Development Program. If the Program has not been completed, indicate clearly:

1. The present status of the program.

2. When it will be completed.

3. Adequate coordination with any other urban or suburban transit operations in the area (exclusive of those provided by intercity operators), in conjunction with relevant political jurisdictions and planning agencies, and supported, as necessary and possible, by appropriate actions by State or local regulatory authorities. Among the subjects to which consideration must be given are minimum route overlapping or competition within specific service areas, a policy determination with respect to transfers among all connecting carriers, plans for comfortable and convenient transfer points and well-coordinated schedules, and the development and use of joint facilities, where appropriate.

The following narrative is illustrative of the data presented by a smaller city where there is only one principal mass transit carrier in the urban area:

As indicated in Exhibit B, ******* Transit, Inc., is the principal local carrier within the urban area. ******* Suburban Line operates only a limited service to and from areas outside the City not served by ******* Transit.

Under the Lease and Supervisory Agreement, the City has effective control of fares, routes, and schedules of ******* Transit. The City also controls the routes of ******* Suburban Lines within the City.

The Traffic Engineer, under the City Engineer and City Manager, is responsible for coordinating all public

transportation facilities within the City--including traffic-ways, public mass transportation, airport access, etc.--and for the administration of the Lease and Supervisory Agreement with ******* Transit, Inc.

The City has projected the long-range capital needs of ******* Transit, Inc., to include:

Step 1.	Purchase **** new diesel buses----------	$ ******
Step 2.	Construct garage and shop facility------	******
Step 3.	Purchase **** additional buses----------	******
	Estimated capital needs--------------	$

This application covers Step 1. No timetable has yet been assigned Steps 2 and 3, but these improvements will be required within the next five to ten years. Other capital needs will be identified as the City gains further experience under the Lease and Supervisory Agreement.

APPLICATIONS for MEDIUM, or LARGE SYSTEMS (urban areas with populations of 250,000 or more)

This Exhibit must include the above, plus the proposed capital grant project must be related to the completed metropolitan regional transportation and/or supporting studies completed or underway. From such materials, UMTA must be able to determine:

a. That the system's requirements at present and for the next five-to ten year period have been fully developed in the metropolitan plan and are reasonably supported by the forecast. As provided in item (d) in the Small Systems Category, estimates of the initial investment and operating cost must be provided for the first five years. The assumptions upon which the estimates are based must be explicit and will be evaluated by UMTA for reasonableness.

b. That there is a workable program for implementation of the transportation elements in the metropolitan plan other than those under immediate consideration for funding by UMTA. Especially sought is some indication of attention to the possibility of increasing transit usage through non-capital intensive means.

APPLICATIONS for LARGE BUS SYSTEMS (urban areas with populations of 1,000,000 or more)

This Exhibit must include all the above, plus there must be a detailed plan for coordinating bus transit conventionally

operated on streets and highways with any grade-separated service, either presently operating or to be completed within the next five years.

APPLICATIONS for LARGE SYSTEMS, RAIL or OTHER GRADE-SEPARATED TRANSIT

This Exhibit must include all the above, plus the applicant must demonstrate that the coordination of grade-separated conventional street and highway transit has been specifically planned or accomplished for the proposed system or project. This is best demonstrated by its inclusion in the Transit Development Program.

EXHIBIT H. USE OF PROJECT FACILITIES

Describe the arrangements which exist or will be made to insure satisfactory continuing public control over the operation or use of the facilities or equipment, whether publicly or privately operated. Following is an example of data needed where the facilities will be owned by the public agency and leased to a private operator:

> The capital improvements comprising this project will be owned by the ****** City and are being obtained for use in provision of mass transportation service in the ****** urban area, either under the Lease and Supervisory Agreement with ****** Transit, Inc., or otherwise in the event that such agreement is terminated.
>
> A draft of the Lease and Supervisory Agreement is attached to this exhibit.

***

It is understood that the grant agreement will contain provisions to assure the continuation of such use during the useful life of the project facilities and that, in the event such facilities are sold or otherwise devoted to another use during their useful life, the City will be required to refund a proportionate share of the Federal grant based on the sale proceeds or the market value of the facilities.

To insure this continued use, the project sponsor will be required to submit to UMTA, at the beginning of each calendar year during the period specified in the grant agreement, a certification that the grant facilities and equipment continue to be used in accordance with the purposes for which the grant was approved and that no part of the local share of net project cost has been refunded or reduced.

EXHIBIT I. LABOR

(Note: Refer to information on page 52).

I. Indicate how the project will affect employees of the Transportation system to be assisted or of other transportation systems in the urban area; and identify each system and labor union involved.

Following is an example of the data needed:

1. The project will not adversely affect the employees of the ****** Transit, Inc.

**** of the buses will replace vehicles now in use on regular routes. **** will be used as spares and to provide experimental service on new routes. No drivers will be laid off as a result of the acquisition of the new buses; additional employment may be required in connection with the proposed experimental routes.

The present maintenance crew consists of a foreman, **** mechanics, and **** washers. No change will be made in the maintenance crew as a result of the purchase of the new vehicles.

Employees of ****** Transit, Inc. are represented by **** Union, Local ****.

2. The project will not adversely affect the employees of any other transportation system in the urban area. **** carriers, other than **** Transit, Inc., provide scheduled local service within the urban area.

(a) **** Suburban Lines operates service with **** buses in **** and **** townships and between these areas and downtown *****. This carrier operates with closed doors, except to pick up and discharge beyond, within the service area of ****** Transit, and **** Transit does not provide service within the area served by **** Suburban.

It is understood that the grant agreement will contain provisions, determined by the Department of Labor, by which the City of **** will warrant that the project will not

adversely affect the employment and working conditions of the employees of ****** Transit, Inc., and will agree that if any such employees are adversely affected, appropriate protection shall be afforded under the provisions of section 13(c) of the Urban Mass Transportation Act of 1964, as amended.

Where any employee or employees of the transportation system to be assisted or if other transportation systems in the urban area will be in any way adversely affected by the project, the numbers and classifications of employees involved must be specifically identified and the application must indicate how the provisions of section 13(c) of the Urban Mass Transportation Act of 1964, as amended, will be met.

***

II. Include an assurance that all those employed by contractors or subcontractors performing construction work financed with UMTA assistance shall be paid wages in accordance with the provisions of the Davis-Bacon Act, as amended. The format of this assurance should be:

> The (Name of Applicant) assures that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with assistance under the Urban Mass Transportation Act of 1964, as amended, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.

EXHIBIT J. PUBLIC HEARING

The applicant for a capital grant, or another public agency designated by the applicant with the concurrence of UMTA, must hold a public hearing on the proposed project. This hearing is to be held to give parties with significant social, economic, or environmental interests an adequate opportunity to publicly present their views on the proposed project. The applicant, or designated public agency, shall publish notice of intent to hold the public hearing in newspapers of general circulation in the locality, including newspapers oriented to the minority community. This notice shall be advertised at least twice, with the first advertisement occurring not less than 30 days before the date of the hearing. If UMTA determines that the notice of the public hearing or the hearing itself was inadequate, it may require the applicant to hold an additional hearing.

This exhibit should contain:

1. A transcript of the hearing

2. A copy of the published notice

***

SAMPLE FORMAT FOR NOTICE OF PUBLIC HEARING

This is the suggested Notice of Public Hearing which will meet the requirements for financial participation in the UMTA program. It shall be published in newspapers of general circulation in the area to be affected by the proposed project, including newspapers oriented to the minority community. The notice shall be advertised at least twice, the first of which must be published a minimum of thirty (30) days before the date of the hearing.

NOTICE OF PUBLIC HEARING

Re: (brief description of project)

I. Notice is hereby given that a public hearing will be held by (Applicant or agency holding hearing) at (address of hearing location) at (time and date) for the purpose of considering a project for which financial assistance is being sought from the Urban Mass Transportation Administration, pursuant to the Urban Mass Transportation Act of 1964, as amended, generally described as follows:

A. Description of Project:

(1) (Describe project including items to be purchased, constructed, acquired, etc.)

(2) (Location of the project)

(3) (Estimated cost of the project--Federal/ local share--including the source of the local share)

B. Relocation: (If no relocation will result from the project, the applicant should include statement (1); otherwise statement (2).)

(1) No persons, families or businesses will be displaced by this project.

(2) (_____) persons, families, and/or businesses are estimated to be displaced by this project. Persons, families and businesses so displaced will be afforded rights as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

C. Environment: (Indicate whether the proposed project will or will not have a significant environmental impact upon the urban area)

D. Comprehensive Planning: (Indicate that this project is in conformance with comprehensive land use and transportation planning in this area. Indicate that the project is currently under review by the A-95 Clearinghouse and 204 Review Agency, or; that comments have been received from those agencies)

E. Elderly and Handicapped: (Indicate how the project will take into consideration the special needs of the elderly and physically handicapped persons)

II. At the hearing, (Applicant) will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic, and environmental aspects of the project. Interested persons may submit orally or in writing evidence and recommendations with respect to said project.

III. A copy of the application for a Federal grant for the proposed project, together with an environmental analysis

and the transit development plan for the area, is currently available for public inspection at (location).

_____

APPLICANT'S AUTHORIZED REPRESENTATIVE

EXHIBIT K. RELOCATION

Where the project requires the displacement of families, individuals, business concerns, or non-profit organizations, the numbers of each must be listed and the application must indicate how the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 will be met.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 establishes an expanded program of relocation assistance for persons displaced from their homes, businesses, or farms by projects receiving Federal financial assistance. It applies to UMTA land acquisition and construction projects. Its provisions will become fully effective July 1, 1972, when relocation payments and expenditures will be considered as project costs. States and localities will then be required to share in relocation costs just as in other project costs.

The Act reaffirms the following basic policies that have been applicable to UMTA projects--

-- No persons shall be displaced from their residences unless and until adequate replacement housing has been made available to them.

-- Prior to approval of any project which involves the displacement of persons, the applicant must give assurance that it has an adequate relocation program for persons to be displaced by the project and that an equal number of decent, safe, and sanitary dwellings will be made available (built if necessary) to persons who are displaced. Such replacement housing must be located in the same area or in areas generally not less desirable in regard to public utilities and public and commercial facilities, reasonably accessible to their places of employment, at rents or prices within their financial means. Replacement housing must be open to all persons regardless of race, color, religion, sex or national origin.

-- No construction which involves displacement will be authorized to proceed until the persons to be displaced have been offered adequate and fair housing in accordance with the relocation program.

Detailed information on relocation requirements is available in the DOT regulation on the subject, dated May 28; 36 Federal Register p. 9178.

NOTE: The applicant should work with the Transportation Representative in formulating the relocation program.

EXHIBIT L. PROTECTION OF THE ENVIRONMENT

The National Environmental Policy Act of 1969, section 4(f) of the Department of Transportation Act, and section 14 of the UMT Act of 1964, as amended, require UMTA review of every proposed project to determine if it may have a "significant" or "substantial" impact on the environment, either adverse or favorable.

To meet this requirement, UMTA requires that a draft environmental statement be submitted with every preliminary application for capital grant assistance. Copies of this draft statement are to be made available to the public and interested government agencies prior to the public hearing. Copies are also to be forwarded to the A-95 Clearinghouses which will perform the necessary State and local agency environmental review. The applicant should ensure that the State Highway Departments and the FHWA Division office for the area receive copies of the statement and are asked for comments. Upon receipt of comments of State and local agencies through the A-95 Clearinghouses and the comments made at the public hearing, the applicant is to review the comments made at the public hearing; the applicant is to review the comments submitted and incorporate them into a redraft of the statement, if such action is warranted. In all cases, any comments received must be forwarded to UMTA, along with another copy of the draft environmental statement, if it has been changed. This material should be forwarded as soon as possible, preferably no later than at the submission of the final application. An early submission of this information will allow UMTA to make the determination of whether the proposed project may have "significant" or "substantial" impacts on the environment in the early stages of final application development and begin any necessary Federal agency reviews early enough to prevent delays in the approval process.

If the scope of the proposed project is substantially changed, UMTA will make the determination as to whether the environmental statement will have to be redrafted and the review processes repeated.

The draft environmental statement, and any redraft of it, should consist of:

1. A description of the proposed project and any adverse impact on the environment.

2. Discussion of any unavoidable adverse environmental effects of the project as proposed.

3. Reasonable alternatives to any portion of the project having an impact which would minimize or eliminate adverse environmental impacts. Each alternative should include a statement of financial costs and environmental benefits.

4. A comparative analysis of the short-term and local impact on the environment and the long-term environmental consequences.

5. A statement of any environmental impacts which will result in any irreversible and irretrievable commitment of resources. This statement should include an analysis of the likelihood of adverse environmental impacts which will be caused by future developments generated by this proposed project.

6. A discussion of problems and objections raised by Federal agencies, State and local entities, and citizens and the disposition of the issues involved.

Section 4(f) of the Department of Transportation Act requires that the Secretary shall review any program or project which requires the use of any publicly-owned land from a public park, recreation area, or wildlife and waterfowl refuge or historic site. Any application for the acquisition of land falling within the scope of section 4(f) must include a Draft Environmental Statement that provides the following additional information:

1. A description of any publicly-owned land from a public park, recreation area or wildlife refuge, or of any land from a historic site, which is involved in or taken by the project, including its site, available activities, use, patronage, and relationship to other similarly used lands in the vicinity. Maps, plans, and drawings, showing in sufficient scale and detail the project and its impact on the park, recreation wildlife, or historic area, and photographs.

2. A statement of the national, State or local significance of the area as determined by the Federal, State or local officials having jurisdiction thereof.

3. Similar data, for alternative designs and locations, including cost estimates and technical feasibility, and appropriate analysis of the alternatives.

4. If there is no feasible and prudent alternative, a description of the planning undertaken to minimize harm to the protected area, a statement of action taken to implement this planning, a specific statement that there is no feasible and prudent alternative, and that the project plans include all possible steps to minimize harm to the area involved.

EXHIBIT M. ELDERLY AND HANDICAPPED

The applicant must make every reasonable effort to ensure that the elderly and handicapped will be able to use mass transportation effectively. This is especially important when new facilities are to be built, but modifications to present facilities and service should also be considered.

The map submitted as EXHIBIT N should also show those areas with large elderly or handicapped populations.

There must be a description of any studies and plans that are addressed to the transportation needs of the elderly and handicapped, with final reports made a part of this exhibit.

Include basic facts concerning these groups, such as their percentage of the population, programs and institutions devoted to their needs, particularly any transportation programs (e.g., Senior Citizen Fares, special routes, etc.). Include the costs of special equipment or facilities, either installed or being considered, and the probable ridership estimated to be attracted by them.

EXHIBIT N. MAP OF THE APPLICANT'S JURISDICTION
NON-DISCRIMINATION IN THE TRANSPORTATION SYSTEM

All applications for assistance must contain a map of the jurisdiction of the applicant showing the areas which are inhabited predominantly by Negroes, Puerto Ricans, Spanish and Mexican-Americans, and "other races" as classified in "Population Characteristics" of the Final Reports of the 1970 Censuses of Population and Housing. If such a study has been prepared for the locality involved, reference should be made to the Report. If not locally available, copies of these reports can be procured from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402, for a nominal charge.

UMTA must be able to ascertain whether or not the services, facilities, and equipment of the existing transportation system and the improved system will be available to all persons and that no person on the ground of race, color or national origin will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of benefits of the transit system to be assisted under the Urban Mass Transportation Act of 1964, as amended. To accomplish this, the map and an accompanying narrative statement should include the following information (reference may be made to other exhibits of the application, where appropriate).

1. How will the proposed project affect minority areas? For example, will the project require the displacement of minority persons from their residences and businesses?

2. Where bus systems are involved, the following items are to be identified: existing and proposed transit routes, trippers, minority areas, major traffic generators (residential areas, shopping areas, industrial areas, commerical areas, hospitals, schools, etc.), transfer zones, ridership (by routes), maximum load points and average load factors (by routes), headways, and transit fares. Also, controls will be used to ensure that routing, scheduling, quality of service, quality of stations serving different routes, locations of routes,

frequency of service, and age and quality of vehicles assigned to routes, are planned and implemented so that no person or group of persons will be discriminated against on the basis of race, color or national origin.

3. Where rail systems are involved, the following items are to be identified: existing and proposed lines (designated express or local), location of stops, minority areas, major traffic generators, and transit fares.

4. How residents from affected minority areas will be involved in the project in order that the plans, programs and policies developed or implemented during the project will be responsive to the needs of the residents.

This exhibit should contain sufficient demographic, economic, and technical data to assist in the comparison and evaluation of existing conditions with forecasts and recommended changes.

The demographic information requested in EXHIBIT M is to be supplied on this map.

EXHIBIT O. EVALUATION OF FLOOD HAZARDS

Where transportation facilities are to be constructed as part of the project, the applicant must indicate whether or not the proposed facilities will be located in a flood plain. In those instances where construction is proposed in flood plains, the applicant will be required to furnish an engineering report containing an analysis of the flood hazards involved in the proposed construction, the methods proposed to protect against them, and the basis on which it is concluded that it will not be hazardous to construct the facility as designed. In determining the eligibility of such facilities for assistance, a review will be made of the engineering aspects referring to the provisions of Executive Order 11296. The review will include thorough consideration of drainage conditions on all sites including storm water entering and leaving the site and possible ground water problems.

Supplementary Information for Applicants--
Employees Affected by Projects

Section 13(c) of the Act specifies that as a condition to any financial assistance, fair and equitable arrangements be made, as determined by the Secretary of Labor, to protect the interests of employees affected by such assistance. The protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training or retraining programs. With respect to Item No. 3, the section further provides that such protection shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act, as amended. This protection extends to any technological displacement which occurs during any research or demonstration project assisted under section 6 of the Act. The contract providing for the grant of assistance must specify the terms and conditions of the arrangements.

To assist the Secretary of Labor in discharging his responsibilities, the normal course of procedure would be for an applicant to contact or arrange for the contact of all representatives of the employees involved in the transaction and, prior to the filing of the final application, to negotiate or assure the negotiation of agreements with such representatives respecting each of the subject matter areas under section 13(c) which are applicable to the project, discussed above.

Information must be included in the final application which will be adequate to identify the employees of the transportation system to be assisted, and of any other transportation systems, who may be affected by the project and any unions representing these employees. The anticipated effect of the project upon these employees (whether or not it is believed to be adverse) must be described in full, including the possible impact of the project upon their collective bargaining contracts, employment rights, privileges and benefits, including pensions, collective bargaining rights, and overall

position with regard to their employment. The results of any discussions or negotiations with representatives of workers who may be affected by the project, and any understanding reached, must be stated.

If agreement has not been reached respecting protective arrangements for employees affected by the project, prior to filing the final application, this should be fully explained. The Secretary of Labor will be so informed by the Department of Transportation in order that he may review the position of the applicant and of employee representatives and make determinations required by law, prior to approval of the final application.

Supplementary Information for Applicants--
Purchase of Motor Vehicles

The Environmental Protection Agency (EPA) has the responsibility for establishing criteria for the prevention and control of air pollution.

The vendor of any motor vehicle to be purchased with project funds will be required to furnish written certification that the current EPA criteria have been met.

The EPA is now formulating new criteria based on the 1970 amendments to the Clean Air Act. These new criteria will, in a short time, supersede the current air pollution control criteria.

Supplementary Information for Applicants-- Land Acquisition

Pursuant to the requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, applicants shall be guided by the following policies:

-- Every reasonable effort shall be made to acquire real property by negotiation.

-- Before negotiation is initiated, real property must be appraised, and the owner or his agent must have the opportunity to accompany the appraiser during inspection of the property.

-- Before initiation of negotiation, an amount believed to be just compensation shall be determined on the basis of the approved appraisal of fair market value of the property to be acquired. An offer to acquire the property for the amount so determined shall be promptly made.

-- Before an owner is required to surrender possession of real property, he shall be paid the full amount of the agreed purchase price or the amount of an award in condemnation proceedings, or an amount not less than the approved market value of the property shall be deposited with the court in condemnation proceedings.

-- If an interest in real property is to be acquired through eminent domain, proceedings should be begun promptly to avoid the necessity for an owner to undertake legal action to establish the fact of a taking of his real property.

-- If acquisition of part of the property would leave the owner with an uneconomic remnant, the applicant shall offer to acquire the remnant.

-- In acquiring real property, the applicant shall avoid scheduling construction that will require a lawful occupant to move from a dwelling or to move a business or farm, without ninety (90) days written notice of the required moving date. If the property is rented to the former owner or to a tenant for a short term or one subject to short notice, no more than the fair rental value for a short-term occupancy shall be charged.

-- In acquiring real property, the applicant shall not advance the term of condemnation, defer negotiations, condemnation or the deposit of funds in court, or take any other coercion action to compel an owner to agree to a price for his property.

When an applicant makes an offer to purchase real property, it shall provide the property owner with a written statement of the basis for the amount determined to be just compensation. The statement shall include:

-- An identification of the real property and the particular interest being acquired.

-- If any separately held interest in the real property is not being acquired in whole or part, a certification to that effect.

-- An identification of buildings, structures, and other improvements, including fixtures, removable building equipment, and any trade fixtures considered to be part of the real property.

-- Identification of any real property improvements, including fixtures, not owned by the owner of the land.

-- Identification of the types and approximate quantity of any personal property located on the premises that is not being acquired.

-- A declaration that the determination of just compensation is based on the fair market

value of the property; is not less than the approved appraised value; disregards any decrease or increase in fair market value attributed to the project for which the property is being acquired; and apportions the total amount of the compensation among separately held interests in the property.

-- The amount of any damages to any part of the real property excluded from the taking.

Other requirements relating to payments to tenants for any improvements made to real property that is to be taken, and reimbursement for expenses incidental to the transfer of title to the real property acquired and to litigation expenses, are included in the DOT regulation 36 F.R. 9178 at 9189.

TITLE VI MANUAL

FOR

CIVIL RIGHTS SPECIALISTS

JULY 1972

U. S. DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
OFFICE OF CIVIL RIGHTS

OFFICE OF CIVIL RIGHTS
URBAN MASS TRANSPORTATION ADMINISTRATION
U. S. DEPARTMENT OF TRANSPORTATION

TABLE OF CONTENTS

SECTION		PAGE
1	PURPOSE	1
2	REFERENCES	1
3	DISCRIMINATORY ACTIONS PROHIBITED	1
4	DEFINITIONS	12
5	RESPONSIBILITY AND AUTHORITY	12
6	TYPES OF REVIEWS	13
7	METHODS FOR EFFECTING COMPLIANCE	15
8	CRITERIA FOR REVIEWS	17
9	PRELIMINARY PREPARATION FOR COMPLIANCE REVIEWS	18
10	SCOPE OF COMPLIANCE REVIEWS	19
11	CONDUCTING THE COMPLIANCE REVIEWS	21
12	COMPLIANCE REVIEW REPORT	27
13	CLOSE OUT	28

OFFICE OF CIVIL RIGHTS
URBAN MASS TRANSPORTATION ADMINISTRATION
U. S. DEPARTMENT OF TRANSPORTATION

Title VI Manual for Civil Rights Specialists

1. Purpose

The purpose of this manual is to provide a guide and reference for acceptable compliance procedures by civil rights specialists of the Urban Mass Transportation Administration. This manual is concerned primarily with fact gathering and should not be considered inflexible. Rather, it should be used as an aid to assist the compliance officer in making reviews.

2. References

a. DOT Civil Rights Contract Compliance Program

b. DOT Effectuation of Title VI of the Civil Rights Act of 1964 - 49 CFR Part 21

3. Discriminatory Actions Prohibited

(1) General

The Departmental Title VI regulations prohibit the following discriminatory actions:

> No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial

assistance from the Department of Transportation.

(a) A recipient under any program to which this regulation applies, may not, directly or through contractual or other arrangements, on the grounds of race, color, or national origin:

. Deny a person any service, financial aid, or other benefit provided under the program.

. Provide any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program.

. Subject a person to segregation or separate treatment in any matter related to his receipt of any service, financial aid, or other benefit under the program.

. Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program.

. Treat a person differently from others in determining whether he satisfies any admission, enrollment, quota, eligibility,

membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit provided under the program.

. Deny a person an opportunity to participate in the program through the provision of services or otherwise to afford him an opportunity to do so which is different from that afforded others under the program.

(b) A recipient, in determining the types of services, financial aid, or other benefits, or facilities which will be provided under any such program, or the class of persons to whom, or the situations in which such services, financial aid, other benefits, or facilities will be provided under any such program, may not, directly or through contractual arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishments of the objective of the program with respect to individuals of a particular race, color, or national origin.

(c) In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which the Departmental regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act.

(d) Where the employment practices of the recipient or other person subject to the regulations, tends on the grounds of race, color, or national origin, to deny them the benefits of, or to subject them to discrimination, the provisions of paragraph 21.5(c)(1) of the Departmental regulations on Title VI apply.

(e) Where the primary objective of the program is to provide employment, the recipient or other party subject to the regulations will be subject to the same requirements of Part III of Executive Order 11246 or any executive order which supercedes it.

(2) Section Analysis of Violations

Specific discriminatory actions generally fall within one of the categories listed below:

(a) Undercoding of Occupational Classifications for Minorities as Compared to White Job Applicants

Example: Minority high school graduates are assigned lower classifications than white graduates with similar educational achievements and other qualifications.

Sections Violated: 21.5(b)(1)(ii)--Service... provided in a different manner, from that provided to others under the program;

21.5(b)(1)(vi)--Individual is offered an opportunity to participate which is different from that afforded others.

(b) Selections and Referral on the Basis of Race

I. Minorities are not referred at all.

Example: Only white applicants are referred to certain employers.

Sections Violated: 21.5(b)(1)(iv)--Individual is restricted re: referral;

21.5(a)--Referral conducted with regard to race;

21.5(b)--Applies in case of discriminatory order.

II. Servicing Employers who Refuse to Hire Minorities

Example: Referring any applicant to an employer who will not hire minorities.

Sections Violated: 21.5(b)(1)(ii) and (vi)--Different benefit or opportunity to participate from that afforded whites, since minorities are not referred to employer who might hire. Since referral of minorities prohibited, referral of whites violate 21.5(b)(1)(ii), since this is separate treatment on basis of race.

(c) Servicing Employer who Discriminates re. Certain Jobs

Example: Servicing an employer who does not discriminate regarding the job in question, but who discriminates regarding other jobs in his organization.

Sections Violated: 21.5(b)(1)(iii)=-Minority applicants subjected to separate treatment;

21.5(b)(1)(iv)--Minority applicants restricted in the privilege of being considered for jobs with full promotional opportunities.

For reasons stated in (b), since referral of minorities are prohibited the employer must not refer whites.

(d) Segregated Facilities or Services

Example: Posted or defacto segregation in seating arrangement for applicants, employees or passengers.

Sections Violated: 21.5(b)(1)(iii)--Individual is subjected to segregation.

(e) Discourteous or Separate Treatment of Members of Minority Groups

Example: Minorities addressed by their first name, while white applicants addressed by their last name.

Section Violated: 21.5(b)(1)(ii)--Provide a service in a different manner from that provided others.

(f) Discrimination in Transportation Services and Similar Benefits

Example: Service is provided to white high schools but not to minority high schools.

Section Violated: 21.5(b)(1)(iv)--Restrict a person in the full enjoyment of a benefit.

(g) Failure to Take Action to Deal with Minority Problems

Example: No program or ineffectual program for follow-up on racial discrimination complaints.

Section Violated: 21.5(b)(2)--Utilize methods of administration which have the effect of subjecting individuals to discrimination or substantially impair the objectives of the program.

(h) Intimidation

Section Violated: 21.11(e)--Intimidatory or retaliatory acts.

(i) Routing of New Buses to Areas or Facilities Inhabited Or Used by Whites and Older Buses to Similar Areas or Facilities Used Predominantly by Negroes

Sections Violated: 21.5(b)(1)(ii)--Provision of a service in a different manner.

(j) Modernization or Improvements (including Cleaning) of Rapid Transit Stations in Predominantly White Residential Areas which Differ from Such Services Provided in Predominantly Minority Areas

Sections Violated: 21.5(b)(1)(i)--Applicable if a service is denied.

21.5(b)(1)(i)--Provide any service--which is different, or is provided in a different manner, from that provided to others...

(k) Selection of Project Locations Requiring Land Acquisition and Displacement of Person on the Basis of Race

Example: Project Sponsors select a route for a rapid transit line through a minority residential area which has the effect of hampering residents in access to hospitals and/or food stores.

Section Violated: 21.5(b)(3)--Determining location or site of facilities which have the effect of excluding persons of the minority area.

(1) Employment Practices which Restrict Minorities from Enjoyment of Benefits or Facilities

Example: Exclusion of minorities from managerial positions in order to preclude automatic membership in a company-supported club.

Section Violated: 21.5(c)(1)--Employment practices which are discriminatroy and which deny benefits. This may also be a violation of the equal opportunity clause.

4. Definitions

a. "Manager" means the top operating official (or his representative) of a project sponsor, contractor, subcontractor or supplier.

b. The term "applicant" means a candidate for Federal assistance involving a grant or loan contract.

c. The term "recipient" means the direct or Federally-assisted beneficiary of a grant or loan.

d. "Department" means the Department of Transportation.

e. "Secretary" means the Secretary of Transportation, unless otherwise indicated.

f. "Director" means the UMTA Director of Civil Rights, unless otherwise indicated.

5. Responsibility and Authority

On September 21, 1969, the Secretary of Transportation approved recommendations of the Civil Rights Counterpart Study Report which requested, among other things, the Urban Mass Transportation Administrator to develop and submit for review a "revised staffing utilization plan designed to assure adequate coverage for UMTA's civil rights program". The report further suggested that an Office of Civil Rights be established in each Administration headed by a Director reporting directly to the Administrator. On March 22, 1970, the UMTA Office of Civil Rights was officially established to implement the recommendations of the Counterpart Study

Report. The Director of that Office has the following responsibilities relating to Title VI activities:

a. Developing policies, programs, standards and procedures for effectuating UMTA's Title VI compliance program.

b. Participation in agency, Departmental and government-wide community and human relations programs that advance the provision of Equal Opportunity.

6. Types of Reviews

Basically there are three types of compliance reviews performed by civil rights specialists of the Urban Mass Transportation Administration.

They are:

a. Pre-award Review
b. Post-award Review
c. Follow-up Review

A Pre-award review involves examination of applications for impact of the proposed project on minorities, citizen participation, routing of rapid transit lines or bus lines, demographic information and benefits to minority groups. An on-site visit may be required if the information furnished is not sufficient or verification of data is required. The application must be approved by UCR prior to any further action.

A Post-award Compliance Review is an in-depth comprehensive review of practices at a facility or construction site to assure that the employer at the facility or the employers at the site have been meeting their Title VI obligations.

A Follow-up Compliance Review is a repeat of a Post-award Compliance Review. This review may be necessitated by routine requirements or it may be prompted by previous findings of non-compliance.

Compliance reviews are performed by civil rights specialists in connection with the following UMTA programs:

a. Advance Land Acquisition
b. Capital Loans and Grants
c. Technical Study Grants
d. Research and Demonstration Grants
e. Managerial Training Grants
f. Research and Training Grants

This manual is tailored for Pre-award, Post-award and Follow-up Compliance Reviews.

7. Methods for Effecting Compliance

Broadly speaking, there are three methods by which compliance with Departmental civil rights requirements may be effected:

a. By obtaining voluntary compliance

b. Through hearings and court action, and

c. By refusing, suspending or terminating Federal financial assistance

The method of voluntary compliance is particularly pertinent with respect to examination of applications.

a. Voluntary Compliance on Approved Projects

The Civil Rights Act of 1964 and implementing regulations require that efforts be made to the fullest extent practicable to bbtain voluntary compliance before there can be a refusal, suspension or termination of

Federal financial assistance.

Attempts to obtain voluntary compliance should not be unduly protracted. Intensive negotiation is likely to reveal whether the recipient is actually using the process of negotiation for purposes of delay or whether in fact concrete headway is being made.

b. Hearings and Court Actions

Court enforcement of compliance under the Departmental Title VI regulations may include:

(1) A suit to obtain specific enforcement of assurances, covenants running with Federally-provided property, statements of compliance, or desegregation plans filed pursuant to Departmental regulations.

(2) A suit to enforce compliance, with other titles of the 1964 Act, other Civil Rights Acts, or constitutional or statutory provisions requiring non-discrimination.

(3) Initiation of, or intervention or other participation in, a suit for other relief designed to secure compliance.

c. Suspension, Termination or Refusal of Federal Financial Assistance

Before an order suspending, terminating or refusing to grant or loan or to continue Federal financial assistance shall become effective, the following must be accomplished.

(1) The Department must advise the applicant or recipient of the failure to comply and of the Department's determination that compliance cannot be secured by voluntary means.

(2) There must be an express finding on the record of a failure to comply after opportunity for hearing.

(3) There must be approval of the action terminating, suspending, etc., of the Federal assistance by the Secretary.

(4) The expiration of 30 days after the Secretary has filed with the Currency and Banking Committee of both houses of Congress a full written report of circumstances and the grounds for such action.

8. Criteria for Reviews

The selection of a particular applicant or recipient for compliance reviews might be based on such factors as whether a first review had been made, priority group of the project, findings of previous reviews,

dollar value of contracts, requirements of administering agencies, community patterns of discrimination in other programs and other areas, i.e., voting, housing, etc., failure of recipient to file adequate compliance reports and the recipient's annual plan for compliance reviews.

A careful and comprehensive compliance review should help the recipient or applicant to evaluate his own practices and should attempt to secure agreement on the complete elimination of any discriminatory practices and the initiation of affirmative action.

9. Preliminary Preparation for Compliance Reviews

When a decision has been made to review a particular recipient for compliance and the case has been assigned, the compliance officer should begin his preliminary preparation. Such preparation should include:

a. Reviewing the files to determine applicant or recipient background information, such as size, number of employees, nature of services, previous investigations, data on the economy, population, percent of minorities, major employers, affirmative action program, other civil rights or equal opportunity information, etc.

b. Determining the extent of compliance in other civil rights programs in the same community or State.

c. Securing community information or profiles from Federal agencies and other organizations such as, the U. S. Commission on Civil Rights, Equal Employment Opportunity Commission, Community Relations Service, the Office of Federal Contract Compliance, or other civil rights organizations, and also other Administrations within the Department of Transportation.

d. Talking with officials and representatives of program offices within the Administration, particularly those with direct responsibility for the project.

10. Scope of Compliance Reviews

Compliance officers must make initial or preliminary determinations as to the scope and extent of the compliance reviews. This involves analysis of the nature and extent of the applicant's or recipient's operations, applicable laws and regulations, allegations of complaints, if any, among other factors. In particular cases, the review may be limited to a single operational area which is particularly suspect or where there is need for immediate factual documentation for the institution of an enforcement hearing. In other cases, it may be a complete review of the applicant's or recipient's entire operation and facilities.

Once the decision on scope of the review is made, the compliance officer should determine whether circumstances dictate an unannounced review or whether the recipient should be notified in advance. If the decision is that the recipient should be notified in advance, he should preferably be notified in writing allowing at least two weeks for receipt of the letter.

11. Conducting the Compliance Review

No one pattern for compliance reviews can be prescribed because of the tremendous range of situations encountered. By focusing on appropriate issues, however, and by attempting to evaluate the actual situation in the specific applicant's or recipient's office, the compliance officer can initiate affirmative action to correct obvious violations. He can also provide the basis for a meaningful report which clearly describes outstanding features, explains any agreement as to remedial action, and recommends appropriate follow-up. If the review is not based upon a complaint of discrimination, the initial step might be to interview minority group leaders whose area of interest may involve the services, facilities and other activities of the applicant or recipient or who may have knowledge of beneficiaries or complainants and can supply names and addresses. These sources can also be utilized to get the "feel" of the community, the general attitude toward compliance and the devices being used to avoid compliance or to give the appearance of compliance.

These interviews which would be held with representatives of minority group and civil rights organizations such as NAACP, Urban League, SCLC, CORE, American GI Forum, and LULAC; editors of newspapers and directors of radio and television stations directed to minority groups; and other prominent persons in the minority community, should cover such matters as:

a. The value of the service the applicant or recipient provides to minority group persons.

b. The relationship with the applicant or recipient, if a relationship exists.

c. Complaints about the discriminatory practices of the applicant or recipient and in the community.

d. The receptivity of the applicant or recipient to requests and suggestions from the minority community.

e. Ideas about improving services and relationships.

f. The adequacy of information provided by the applicant or recipient upon request.

g. The outreach efforts of the applicant or recipient.

Whether the compliance officer begins with community contacts or begins by going directly to the applicant or recipient, there are rather specific procedures he should follow. When he visits the applicant's or recipient's principal facility, he should identify himself to the manager or the representative of the applicant or recipient; show his identification card and advise his contact of the general purpose of his visit; namely, to conduct a compliance review to determine if the applicant's or recipient's operation is or would be in compliance with Title VI or Departmental requirements. Full cooperation and assistance should be

requested from the manager, and it should be pointed out to him the provisions of the regulations (in cases of an approved project) which permit the compliance officer access to the necessary records, other information and sites to determine compliance. Procedures in making the review should be discussed, including the interviewing of selected employees. (Interviewing of employees away from their place of employment may be advisable). The applicant's or recipient's staff should be advised of the presence of the compliance officer and the purpose of his visit.

An interview should be held with the Manager where information should be obtained regarding procedures established by the applicant or recipient to effect compliance (where appropriate), and the records and other evidence of these procedures should be produced. A complete list of the staff by position and race should be obtained. Arrangements should also be made for a place for the compliance officer to work and to interview employees under conditions of privacy.

It is desirable and necessary that employees (on an approved project) in local offices be familiar with the meaning and significance of Title VI of the Civil Rights Act of 1964 and all of its implications. During the interview, the compliance officer could ask the manager questions such as the following:

a. Has formal training been administered to staff in serving minority group applicants and in carrying out

nondiscriminatory practices? If so, when, to whom, and the subjects that were covered. What plans exist to hold more such training in the future? If no training has been given or planned, what reasons are given for this?

b. How often are training sessions held in the local office?

c. What verbal instructions has the manager given to staff concerning nondiscrimination, especially with regard to referring minority group applicants to employers? When was this done? What supervisory follow-up is done to insure compliance?

d. Do minority group staff and employees participate equally in staff training programs, professional association and company activities?

e. Are staff members thoroughly familiar with the Departmental regulations on nondiscrimination?

f. What State or local directions have been given, and how are these directions disseminated to the staff?

g. Does company or contractor have an EEO officer, and if so, to whom does he report? What is the role of the EO officer in the company?

h. Does the company or any of its establishments have a direct or Federally-assisted contract with any other agencies of the Federal Government?

The investigator should attempt to determine to what extent the applicant or recipient has attempted to inform minority groups of their services and commitments to equal opportunity:

a. How has the company or sponsor informed minority group persons of job opportunities and how has it assisted and encouraged such persons to apply for the necessary merit system examinations and qualifications for these positions?

b. Has the company or sponsor publicized its desire to serve all persons regardless of race, color, or national origin through posters, press releases, schedules, and speeches directed to minority group persons? (If so, obtain copies).

c. Has the company or sponsor sought the assistance of minority group and civil rights organizations such as NAACP, Urban League, SCLC, CORE, American GI Forum, LULAC, churches, fraternal societies, social groups, service groups, business associations in recruiting minority group applicants?

The manager should be asked if there are any adverse effects on the applicant or recipient as a result of the State, local or Federal Government's regulations regarding civil rights and whether business has been gained by another sponsor or company as a result. As a part of this initial interview, a complete tour of the facility or job site should be made with particular emphasis upon ascertaining the location of the physical facilities and employees. Patterns of actual use of facilities should be noted and numbers of minority employees working and in what capacities. Are employees' restrooms, lounges, and drinking fountains integrated? Are there subtle or overt signs or indications that any staff member, or other person is restricted in the use of, or is in any way encouraged to use or discouraged from using any office entrance, waiting room or area, drinking fountain, restroom, staff lounge or any other facility because of his race, color or national origin. While touring the facility, it should be observed whether Equal Opportunity posters are prominently displayed. Are any other posters displayed or pamphlets distributed to applicants and employees which explain their rights to equal service and opportunity? Where appropriate, are posters in applicable foreign language?

The investigator should ride buses and rapid transit cars over various routes to determine if there is a difference in services and benefits provided different areas of the community by the project sponsor, e.g., older buses in predominantly Negro residential areas. He can also

visit garages or terminals at the beginning of runs and note destination of buses and trains. By looking at route maps of the transit authority or system, he can verify whether in fact a difference in services and benefits is being provided certain areas of the community.

In many instances, general community patterns have caused discriminatory practices without the manager, staff or beneficiaries thinking about the matter or being aware of what has occurred. A well-intentioned manager may not understand the practices that have developed without his knowledge. Even a manager who thinks he is making substantial progress can be helped to identify malpractices that have resulted from prejudice among some of his staff members. The compliance officer, through the facts he establishes, the questions he asks, and the experience he cites can assist the sponsor or company in correctly assessing what is actually going on in the office and at the job site.

It is suggested that compliance reviews of contractors be coordinated with the sponsor's representative at the site, if one is available.

Once the review is completed a closing conference should be held with the manager at which the compliance officer should explain the results of the review.

12. Compliance Review Report

A standard form (identified as Form UMTA-F-32) for recording information gathered from compliance reviews has been developed and should be used by the investigator.

Reports should be written as soon as practicable since information may be forgotten if too much time elapses prior to preparation of the report. Experience has shown that the best time to write a report, so that accurate and complete information is recorded, is during the actual review. This may not be possible at all times, however.

13. Close Out

Once the report has been reviewed by the Director of Civil Rights and agreement has been reached on the required corrective action, the recipient should be notified by mail of the results of the review and the action required for the recipient to come into compliance.

"Relocation Assistance"

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 establishes an expanded program of relocation assistance for persons displaced from their homes, businesses, or farms by projects receiving Federal financial assistance. It applies to UMTA projects involving construction or land acquisition. Its provisions will become fully effective July 1, 1972, when relocation payments and expenditures will be considered as normal project costs. States and localities will then be required to share in relocation costs just as in other project costs.

The Act reaffirms the following basic policies that have been applicable to UMTA projects --

* No persons shall be displaced from their residences unless and until adequate replacement housing has been made available to them.

* Prior to approval of any project which involves the displacement of persons, the applicant must give assurance that it has an adequate relocation program for persons to be displaced by the project and that an equal number of decent, safe, and sanitary dwellings will be aade available (built if necessary) to persons who are displaced. Such replacement housing must be located in the same area or in areas generally not less desirable in regard to public utilities and public and commercial facilities, reasonably accessible to their places of employment, and at rents or prices within their financial means. Replacement housing must be open to all persons regardless of race, color, religion, sex or national origin.

* No construction which involves displacement will be authorized to proceed until the persons to be displaced have been offered adequate and fair housing in accordance with the relocation program.

Consistent with the Department of Transportation's policy that the relocation program be devoid of discrimination, the affirmative action plan will encompass a part outlining a requirement for monitoring services prior to award of a grant. A grantee will agree to submit a civil rights quarterly report listing the following data.

a. Total number of relocation employees

b. Total number of employees hired during the quarter

c. The number of employees terminated during the quarter

d. The number of job vacancies, by job category.

The report will be broken down into two sections: (a) employees of each recipient, and (b) employees of each recipient's relocation subcontractor, if applicable. The data of items a, b, and c should be broken down by job category, by minority group and by sex. Report is to be submitted within 15 days following the close of the quarter being reported.

The Office of Civil Rights and Service Development has been designated the responsibility of updating this document and also is the contact person for this document.

Detailed information on relocation requirements is set forth in the regulations issued pursuant to the Act, (see attachments to this appendix.)

"Land Acquisition"

Pursuant to the requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, applicants shall be guided by the following policies:

* Every reasonable effort shall be made to acquire real property by negotiation.

* Before negotiation is initiated, real property must be appraised, and the owner or his agent must have the opportunity to accompany the appraiser during inspection of the property.

* Before initiation of negotiation, an amount believed to be just compensation shall be determined on the basis of the approval appraisal or fair market value of the property to be acquired. An offer to acquire the property for the amount so determined shall be promptly made.

* Before an owner is required to surrender possession of real property, he shall be paid the full amount of the agreed purchase price or the amount of an award in condemnation proceedings, or an amount not less than the approved market value of the property shall be deposited with the court in condemnation proceedings.

* If an interest in real property is to be acquired through emminent domain, proceedings should be begun promptly to avoid the necessity for an owner to undertake legal action to establish the fact of a taking of his real property.

* Identification of the types and approximate quality of any personal property located on the premises that is not being acquired.

* A declaration that the determination of just compensation is based on the fair market value of the property; is not less than the approved appraised value; disregards any decrease or increase in fair market value attributed to the project for which the property is being acquired; and apportions the total amount of the compensation among separately held interests in the property.

* The amount of any damages to any part of the real property excluded from the taking.

These and other requirements relating to payments to tenants for any improvements made to real property that is to be taken and reimbursement for expenses incidental to the transfer of title to the real property acquired and to litigation expenses, are set out fully in the DOT regulation 36 F.R. 9179 at 9189. (See attachments to this appendix.)

Attachment to
Appendix 7

federal register

THURSDAY, MAY 20, 1971
WASHINGTON, D.C.
Volume 36 ■ Number 98

PART II



DEPARTMENT OF TRANSPORTATION

■

Relocation Assistance and Land Acquisition under Federal and Federally-Assisted Programs

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 29]

PART 25—RELOCATION ASSISTANCE AND LAND ACQUISITION UNDER FEDERAL AND FEDERALLY ASSISTED PROGRAMS

This amendment adds a new Part 25 to the Regulations of the Office of the Secretary of Transportation to implement the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" and applies to the Office of the Secretary and each of the operating administrations of the Department.

The purpose of the Act is to provide uniform and equitable land acquisition policies and relocation assistance for displaced persons in connection with Federal or federally assisted programs. Section 213 of the Act authorizes the heads of Federal agencies to establish regulations that are necessary to carry out the purpose of the Act and directs them to consult together to insure uniform implementation and administration of the Act.

Pursuant to section 213 of the Act and a memorandum from the President to all agency heads, dated January 4, 1971, interim guidelines for the issuance of regulations were developed by an interagency task force in conjunction with the Office of Management and Budget. The guidelines call for all Federal agencies within the executive branch to promptly issue interim regulations and to prepare final regulations to become effective not later than December 31, 1971. Part 25 is being adopted in accordance with those requirements.

Because of the large number of qualified persons awaiting payments and services under this part, additional delays attendant to notice and public procedures would not serve the public interest. I therefore find that good cause exists for making this part effective in less than 30 days.

At the same time, the Department invites all interested persons who desire to submit written comments or suggestions in connection with this part to submit them in duplicate to the Docket Clerk, Office of General Counsel, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590, by October 31, 1971. Consideration will be given to such submissions with a view to possible amendments. Copies of the submissions will be available for examination by interested persons in Room 10100, Nassif Building, 400 Seventh Street SW., Washington, DC, upon their receipt.

Part 25 is composed of nine subparts. Subpart A sets forth the policy of the Department, defines terms used in the part, provides for administrative implementation of the part by the operating administrations of the Department, and authorizes each operating administration of the Department to publish separate regulations consistent with Part 25 and the Act. Section 25.11, which prescribes the qualifications for a "displaced person," makes it clear that a person who moves from real property in response to certain official actions looking to its acquisition may qualify as a "displaced person" even though he moves before the actual acquisition takes place.

Subpart B prescribes the determinations required to be made by operating administrations of the Department concerning relocation assistance and land acquisition activities with respect to Federal projects which they carry out.

Subpart C prescribes requirements applicable to State agencies carrying out projects receiving Federal financial assistance from the Department or one of its operating administrations.

Subpart D describes the relocation assistance program and services to be provided by the State agency or operating administration of the Department actually carrying out a project.

Subpart E sets forth amounts and limitations for moving expense payments to persons displaced by Federal or federally assisted projects.

Subpart F provides for payment of moving expenses on the basis of a fixed schedule in lieu of payments computed under Subpart E at the option of the displaced persons concerned.

Subpart G sets forth the eligibility requirements and limitations applicable to relocation housing payments to persons displaced by Federal or federally assisted projects.

Subpart H authorizes operating administrations of the Department and State agencies to carry out required relocation assistance activities through other agencies.

Subpart I sets forth the requirements and limitations applicable to the acquisition of real property in connection with a Federal or federally assisted project.

Appendix A describes the records to be kept by operating administrations of the Department and State agencies with respect to their relocation activities under the part.

In consideration of the foregoing, effective on June 1, 1971, Subtitle A of Title 49, Code of Federal Regulations is amended by adding a new Part 25, "Relocation Assistance and Land Acquisition Under Federal and Federally Assisted Programs."

Issued in Washington, D.C., on May 13, 1971.

JOHN A. VOLPE,
Secretary of Transportation.

Subpart A—General

Sec.
25.1 Purpose and policy.
25.3 Definitions.
25.5 Applicability.
25.7 Delegations of authority.
25.9 Regulations.
25.11 Displaced person; qualifications.
25.13 Notices of intent to acquire real property.
25.15 Comparable replacement dwelling; requirements.
25.17 Decent, safe, and sanitary dwelling; requirements.
25.19 Decent, safe, and sanitary rental sleeping rooms; requirements.
25.21 Appeals.
25.23 Records.

Subpart B—Requirements for Federal Projects

25.31 Scope.
25.33 Determinations; displacement of persons.
25.35 Determinations; acquisition of real property.
25.37 State agency provides real property for a Federal project.

Subpart C—Requirements for Federally Assisted Projects

25.51 Scope.
25.53 Preliminary requirements.
25.55 Relocation plan required.
25.57 Assurances required; displacement of persons.
25.59 Assurances required; acquisition of real property.
25.61 Required information concerning State agency policy and procedure.
25.63 Use of Federal financial assistance.
25.65 Federal share of costs.

Subpart D—Relocation Assistance Advisory Programs

25.71 Scope.
25.73 Extension of services to adja occupants.
25.75 Relocation programs; general quirements.
25.77 Organizational requirements.
25.79 Local relocation office.
25.81 Coordination with other agencies.
25.83 Public information; general.
25.85 Public information; hearings.
25.87 Public information; brochure.
25.89 Public information; announcements.
25.91 Public information; notices.
25.93 Information for displaced persons.

Subpart E—Moving and Related Expenses

25.111 Scope.
25.113 Eligibility not dependent on length of occupancy.
25.115 Payment limited to one move; exception.
25.117 Noneligibility notice to rental occupants required.
25.119 Moving expenses; application and payment.
25.121 Exclusions.
25.123 Moving expenses; individuals and families.
25.125 Moving expenses; business and farm operations.
25.127 Moving expenses; advertising businesses.
25.129 Low value, high bulk property; businesses and farm operations.

Sec.
25.131 Actual direct losses; businesses and farm operations.
25.133 Expenses in searching for replacement business or farm operation.

Subpart F—Fixed Allowance in Lieu of Moving and Related Expenses

25.151 Scope.
25.153 Schedule of moving expense allowances; individuals and families.
25.155 Dislocation and moving expense allowances; individuals and families.
25.157 Fixed allowance; businesses.
25.159 Fixed allowance; farm operation.
25.161 Computing average annual net income; businesses and farm operations.

Subpart G—Replacement Housing Payments

25.171 Scope.
25.173 Purchase of a decent, safe, and sanitary dwelling.
25.175 Occupancy.
25.177 Inspection of replacement dwelling required.
25.179 Application and payment.
25.181 Eligibility.
25.183 Replacement housing payment; purchase price.
25.185 Replacement housing payments; rent and down payments.
25.187 Rules for considering land values.
25.189 Limitations; payment for purchase price.
25.191 Reasonable cost of comparable replacement dwelling.
25.193 Owner retention.
25.195 Increased interest costs.
25.197 Incidental expenses.
25.199 Computation of rental payments; tenants.
25.201 Computation of rental payments; homeowners.
25.203 Determining reasonable monthly rent.
25.205 Rental payments; method of payment.
25.207 Computation of down payments.
25.209 Down payments.
25.211 Provisional payment pending condemnation.
25.213 Combined payments.
25.215 Partial use of home for business or farm operation.
25.217 Multiple occupants of a single dwelling.
25.219 Multifamily dwelling.
25.221 Certificate of eligibility pending purchase of replacement dwelling.

Subpart H—Relocation Assistance Functions Carried Out Through Other Agencies

25.231 Authority to carry out relocation assistance through other agencies.
25.233 Information to be furnished to DOT.
25.235 Interagency agreement required.
25.237 Amendment of existing agreements required.

Subpart I—Acquisition of Real Property

25.251 Scope.
25.253 Real property acquisition practices.
25.255 Statement of just compensation to owner.
25.257 Equal interest in improvements to be acquired.
25.259 Payments to tenants for improvements.
25.261 Expenses incidental to transfer of title.
25.263 Litigation expenses.

APPENDIX A—RECORDS.

AUTHORITY: The provisions of this Part 25 issued under sec. 213, 84 Stat. 1900, unless otherwise noted.

Subpart A—General

§ 25.1 Purpose and policy.

(a) This part implements the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 which provides for the uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and establishes uniform and equitable land acquisition policies for Federal and federally assisted programs.

(b) In implementing the Act, it is the policy of the Department of Transportation to deal consistently and fairly with all persons whose property is taken for public projects and all persons who are displaced from their homes, businesses, or farms.

§ 25.3 Definitions.

As used in this part—

"Agency concerned" means the operating administration within the Department of Transportation or the State agency responsible for carrying out the project concerned, or the Office of the Secretary of Transportation in the case of a project being carried out by that office.

"Appropriate DOT official" means an official of the Department of Transportation to whom the Secretary of Transportation has delegated authority to carry out this part and includes any person to whom that official has redelegated that authority.

"Business" means a lawful activity, other than a farm operation, conducted primarily—

(1) For the purchase, sale, lease, or rental of personal and real property, and the manufacture, processing or marketing of products, commodities, or other personal property;

(2) For the sale of services to the public; or

(3) By a nonprofit organization.

"Dwelling" includes a single-family house, a single-family unit in a multifamily building, a unit of a condominium or cooperative housing project, a mobile home, or any other residential unit.

"Economic rent" means the amount of rent a tenant or homeowner would have to pay for a dwelling similar to the acquired dwelling in a comparable area on the private market.

"Farm operation" means a lawful activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use and customarily producing those products or commodities in sufficient quantity to be capable of providing at least one-third of the operator's income, however, in instances where such operation is obviously a farm operation it need not contribute one-third to the operation's income for him to be eligible for relocation payments.

"Federal agency" means a department, agency or instrumentality in the Executive Branch of Government (except the National Capital Housing Authority), any wholly owned Government corporation (except the District of Columbia Redevelopment Land Agency), and the Architect of the Capitol, the Federal Reserve Banks and branches thereof.

"Federal financial assistance" means a grant, loan, or contribution by the United States, other than a Federal guarantee or insurance or an annual payment or capital loan to the District of Columbia.

"Federally assisted" means assisted by a grant, loan or contribution by the United States, other than a Federal guarantee or insurance or an annual payment or capital loan to the District of Columbia.

"Homeowner" means an individual or family who owns a dwelling.

"Initiation of negotiations" means the date the agency concerned makes its first personal contact with the owner of real property, or his representative, to discuss price of the property to be acquired.

"Mortgage" means a lien commonly given to secure an advance on, or the unpaid purchase price of, real property under the laws of the State in which real property is located, together with any credit instruments secured thereby.

"Own" means holding any of the following interests in a dwelling or a contract to purchase one of those interests:

(1) A fee title.

(2) A life estate.

(3) A 99-year lease.

(4) A lease with at least 50 years to run from the date of acquisition of the property.

(5) An interest in a cooperative housing project which includes the right to occupy a dwelling.

"Person" includes a partnership, company, corporation, or association as well as an individual.

"State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, the trust territories of the Pacific Islands, or a political subdivision of any of those jurisdictions.

"State agency" means a department, public body, agency or instrumentality of a State or of a political subdivision of a

State, or any department, agency or instrumentality of two or more States or of two or more political subdivisions of a State or States, the National Capital Housing Authority and the District of Columbia Redevelopment Land Agency.

"Tenant" means an individual or family who rents, or is temporarily in lawful possession of a dwelling, including a sleeping room.

§ 25.5 Applicability.

This part applies to projects which are part of a Federal or federally assisted program administered by the Department of Transportation and which, after January 1, 1971, cause the displacement of persons or the acquisition of real property, including acquisition by a State agency without Federal financial assistance.

§ 25.7 Delegations of authority.

(a) Except as provided in § 25.153, the functions, powers, and duties of the Secretary of Transportation with respect to the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" are delegated to—

(1) The Assistant Secretary for Administration with respect to programs administered directly by the Office of the Secretary; and

(2) The head of each of the following operating administrations with respect to programs administered by their respective organizations:

(i) U.S. Coast Guard.

(ii) Federal Aviation Administration.

(iii) Federal Highway Administration.

(iv) Federal Railroad Administration.

(v) Urban Mass Transportation Administration.

(vi) National Highway Traffic Safety Administration.

(vii) St. Lawrence Seaway Development Corporation.

(b) Each officer to whom authority is delegated by paragraph (a) of this section may redelegate and authorize successive redelegations of that authority within the organization under his jurisdiction.

§ 25.9 Regulations.

(a) Each officer to whom authority is delegated by § 25.7 may prepare, and submit to the Assistant Secretary for Environment and Urban Systems for approval, regulations that—

(1) Implement the requirements of the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" (84 Stat. 1894) and this part; and

(2) Prescribe additional procedures and requirements that are appropriate to the particular programs administered by the preparing officer's organization and are not inconsistent with the Act or this part.

(b) After the Assistant Secretary for Environment and Urban Systems approves the regulations, the preparing officer shall submit them to the FEDERAL REGISTER for publication.

(c) Regulations issued under this section are effective only after approval by the Assistant Secretary for Environment and Urban Systems and publication in the FEDERAL REGISTER.

(d) This section applies to each amendment of regulations issued under this section.

(e) Regulations issued under this section shall be revised, as necessary, to conform to any amendments that may be made to this part.

§ 25.11 Displaced person; qualifications.

(a) Subject to the requirements of paragraphs (c), (d), and (e) of this section, a person qualifies as a displaced person for the purposes of this part if after January 1, 1971, he moves from real property, or moves his personal property from real property, on which he resides or conducts a business or farm operation, and the move is a direct result of—

(1) The initiation of negotiations for the real property;

(2) A written notice from the agency concerned of its intent to acquire the real property by a definite date; or

(3) A written order from the agency concerned to vacate the real property;

for a project undertaken by the Department of Transportation or a State agency receiving Federal financial assistance from the Department.

(b) A person may qualify as a displaced person, regardless of—

(1) Whether the property is acquired by a Federal or State agency;

(2) The method of acquisition;

(3) The name or status of the person who acquires or holds fee title to the property; or

(4) Whether Federal funds contribute directly to the payment for the property, if the property must be acquired for a Federal or federally assisted program or project, and the end result is to serve or be considered to serve in the public interest.

(c) A person does not qualify as a displaced person under paragraph (a) (1) or (2) of this section until—

(1) The agency concerned becomes entitled to possession of the real property under an agreement or a court order in a condemnation proceeding for acquiring the property;

(2) The owner conveys title to the real property to the agency concerned; or

(3) The owner and the agency concerned enter into a contract for the purchase of the real property, but only if the real property is not to be reoccupied before the agency is to acquire title or the right to possession.

(d) A person, other than the former owner or tenant, who enters into rental occupancy of real property after its ownership passes to the agency concerned, does not qualify as a displaced person for the purposes of this part.

(e) A person who enters into occupancy of real property after the initiation of negotiations for that property the issuance of a notice of intent to quire that property by a given date, as the case may be, does not qualify as a displaced person for the purposes of this part.

§ 25.13 Notices of intent to acquire real property.

The agency concerned may not issue written notices of intent to acquire real property by a definite date until—

(a) The beginning of any project phase which will cause the displacement of persons who are to receive the written notices; and

(b) The appropriate DOT official has approved the issuance of the written notices.

§ 25.15 Comparable replacement dwelling; requirements.

A dwelling is a comparable replacement dwelling for the purposes of this part if it is—

(a) Decent, safe, and sanitary;

(b) Functionally equivalent and substantially the same as the dwelling being acquired with respect to—

(1) Number of rooms;

(2) Area of living space;

(3) Age; and

(4) State of repair;

(c) In an area not generally less desirable than the dwelling being acquired with respect to—

(1) Public utilities; and

(2) Public and commercial facilities;

(d) Reasonably accessible to the place of employment of the head of the displaced family or the displaced individual as the case may be;

(e) Adequate to accommodate the displaced family or individual;

(f) In an equal or better neighborhood;

(g) Available on the market; and

(h) Within the financial means of the displaced family or individual.

§ 25.17 Decent, safe, and sanitary dwelling; requirements.

(a) A dwelling is decent, safe, and sanitary for the purposes of this part if it—

(1) Meets the applicable State or local building, plumbing, electrical, housing, and occupancy codes or similar ordinances or regulations for existing structures;

(2) Has a continuing and adequate supply of potable safe water;

(3) Has a kitchen or an area set aside for kitchen use which contains a sink in good working condition and connected to hot and cold water, and properly connected to a sewage disposal system;

(4) Has a stove and refrigerator in good operating condition, if required by local code, ordinance, or custom or, if not so required, utility service connections and adequate space for these installations in the kitchen or area set aside for kitchen use;

(5) Except in a geographical area where it is not normally included in new housing, has an adequate heating system

in good working order capable of maintaining a minimum temperature of 70° in the living area (not including the rooms) under local outdoor design temperature conditions;

(6) Has a bathroom, well lighted and ventilated and affording privacy to a person within it, containing a lavatory and a bathtub or shower stall, properly connected to an adequate supply of hot and cold running water, and a flush toilet, all in good working order and properly connected to a sewage disposal system;

(7) Has an electrical wiring system in each room;

(8) Is structurally sound, clean, weathertight, and in good repair and adequately maintained;

(9) Has a safe, unobstructed means of egress leading to a safe open space at ground level and, in the case of a multidwelling building, access from each dwelling unit directly or through a common corridor to a means of egress to a safe open space at ground level and, in the case of a multidwelling building of more than two stories, at least two means of egress from the common corridor on each story;

(10) Has sleeping, living, cooking, and dining floor space (exclusive of such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfurnished attics, foyers, storage spaces, cellars, utility rooms (or similar spaces)) which—

(i) Measures at least 150 square feet for the first occupant and 100 square feet (70 square feet in the case of a mobile home) for each additional occupant;

(ii) Is subdivided into adequately ventilated rooms sufficient to accommodate the occupants;

(11) Is reasonably convenient to community services including schools, stores, and public transportation; and

(12) Open to all persons regardless of race, color, religion, sex, or national origin and consistent with the requirements of title VIII of the Civil Rights Act of 1968.

(b) If the applicable local housing code does not conform to all the requirements of paragraph (a) of this section but is reasonably comparable, the agency providing relocation assistance may submit a copy of the local code to the appropriate DOT official for approval as acceptable standards for decent, safe, and sanitary housing.

(c) In case of extreme hardship or other similar extenuating circumstances involving a displaced individual or family, the agency concerned may, with the concurrence of the appropriate DOT official, waive any requirement of paragraph (a) (1)–(11) of this section.

§ 25.19 Decent, safe, and sanitary rental sleeping rooms; requirements.

(a) A rental sleeping room is decent, safe, and sanitary for the purposes of this part if it—

(1) Meets the applicable State or local building, plumbing, electrical, housing, and occupancy codes or similar ordinances or regulations for existing structures;

(2) Except in a geographical area where it is not normally included in new housing, has an adequate heating system in good working order which will maintain a minimum temperature of 70° F. under local outdoor design temperature conditions;

(3) Has an electrical wiring system;

(4) Is structurally sound, clean, weathertight, and in good repair and adequately maintained;

(5) Has a safe, unobstructed means of egress leading to a safe open space at ground level and, in the case of a rooming house, access from each sleeping room directly or through a common corridor to a means of egress to a safe open space at ground level and, in the case of a rooming house of more than two stories, at least two means of egress from the common corridor on each story;

(6) Is reasonably convenient to community services such as stores and public transportation;

(7) Has at least 100 square feet of habitable floor space for the first occupant and 50 square feet of habitable floor space for each additional occupant; and

(8) Has use of a bathroom, well lighted and ventilated and affording privacy to a person within it, including a door that can be locked if the facilities are separate from the sleeping room, containing a lavatory and a bathtub or shower stall, properly connected to an adequate supply of hot and cold running water, and a flush toilet, all in good working order and properly connected to a sewage disposal system.

(9) Open to all persons regardless of race, color, religion, sex, or national origin and consistent with the requirements of title VIII of the Civil Rights Act of 1968.

(b) If the applicable local housing code does not meet all the requirements of paragraph (a) of this section but is reasonably comparable, the agency providing relocation assistance may submit a copy of the local code to the appropriate DOT official for approval as acceptable standards for decent, safe and sanitary housing.

(c) In case of extreme hardship or other similar extenuating circumstances involving a displaced individual or family, the agency concerned may, with the concurrence of the appropriate DOT official, waive any requirement of paragraph (a) (1)–(8) of this section.

§ 25.21 Appeals.

(a) An applicant for a payment under this part who is aggrieved by an agency's determination as to the applicant's eligibility for payment or the amount of the payment may appeal that determination in accordance with the procedures established by the agency concerned under paragraph (b) of this section.

(b) Each agency concerned shall establish procedures for reviewing appeals by aggrieved applicants for payments under this part. The procedures shall insure that—

(1) Each appellant applicant has the opportunity for oral presentation;

(2) Each appeal will be decided promptly;

(3) Each appeal decision will include a statement of the reasons upon which it is based;

(4) The agency retains all documents associated with each appeal; and

(5) Each appellant applicant has a right of final appeal to the head of the agency concerned.

§ 25.23 Records.

Each agency concerned shall maintain relocation records in accordance with the requirements of Appendix A and make them available during regular business hours of inspection by appropriate DOT officials. The records shall be retained by the agency for at least 3 years after completion of a project.

Subpart B—Requirements for Federal Projects

§ 25.31 Scope.

This subpart prescribes requirements governing the administration of real property acquisition and relocation assistance for displaced persons for projects which are part of a Federal program administered by the Department of Transportation.

§ 25.33 Determinations; displacement of persons.

(a) No DOT official may approve a Federal project to which this part applies which will result in the displacement of any person until he determines that—

(1) Fair and reasonable relocation payments will be provided to displaced persons as required by Subparts E, F, and G of this part;

(2) Relocation assistance programs offering the services described in Subpart D of this part will be provided for displaced persons;

(3) The public was or will be adequately informed of the relocation payments and services which will be available under Subparts D, E, F, and G of this part; and

(4) Comparable replacement dwellings will be available, or provided if necessary, within a reasonable period of time before any person is displaced.

(b) No DOT official may proceed with any phase of a Federal project if that phase will cause the displacement of any person until he determines that—

(1) Based on a current survey and analysis of available replacement housing and in consideration of competing demands for that housing, comparable replacement dwellings will be available within a reasonable period of time prior to displacement; and

(2) Adequate provisions have been made to provide orderly, timely, and efficient relocation or displaced individuals and families to decent, safe, and sanitary housing available to persons without regard to race, color, religion, or national origin with minimum hardship to those affected.

§ 25.35 Determinations; acquisition of real property.

No DOT official may approve a Federal project to which this part applies and which will result in the acquisition of real property until he determines that adequate provisions have been made to—

(1) Fully comply with the requirements of Subpart I, of this part; and

(2) Inform the public of the acquisition policies, requirements, and payments which will apply to the project.

§ 25.37 State agency provides real property for a Federal project.

(a) Whenever a State agency is obligated to provide the necessary real property incident to a Federal project, no DOT official may accept that real property until he determines that the State agency has carried out all the requirements of this subpart. However, until July 1, 1972, this section is applicable to a State agency only to the extent that agency is able to meet the requirements of this subpart under State law.

(b) The cost to a State agency of providing the payments and services required by this subpart shall be paid in the same manner and to the same extent as the cost of the real property acquired for the project. However, until July 1, 1972, the Department of Transportation will pay a State agency the full amount of the first $25,000 of the cost of providing payments and services for any displaced person.

Subpart C—Requirements for Federally Assisted Projects

§ 25.51 Scope.

This subpart prescribes requirements governing the administration of real property acquisition and relocation assistance for displaced persons for projects which are part of a federally assisted program administered by the Department of Transportation.

§ 25.53 Preliminary requirements.

(a) Before a State agency begins a federally assisted project to which this part applies, it shall make preliminary investigations to determine—

(1) The approximate number of individuals, families, businesses, and farm operations that will be displaced; and

(2) The probable availability of comparable replacement dwellings.

(b) Before it holds any public hearings concerning the project, the State agency shall submit to the appropriate DOT official a statement of the basis for the findings required by paragraph (a) of this section and a statement of the displacement problems involved at each identifiable location, along with possible solutions.

§ 25.55 Relocation plan required.

No DOT official may authorize a State agency to proceed with any phase of a federally assisted project to which this part applies until the State agency has submitted a relocation plan to him for approval. The plan shall include:

(a) An inventory of the characteristics and needs of persons to be displaced. This inventory may be based upon a representative sampling process rather than a complete occupancy survey.

(b) An estimated inventory of currently available comparable replacement dwellings. The inventory shall set forth for each dwelling the type of house or building, state of repair, number of rooms, type of neighborhood, proximity of public transportation, schools, and commercial shopping areas, and distance to any pertinent social institutions, such as religious and community facilities.

(c) An analysis of the information required by paragraphs (a) and (b) of this section which—

(1) Discusses relocation problems and possible solutions;

(2) Provides an analysis of Federal, State, and community programs currently in operation in the project area which will affect the availability of housing;

(3) Provides detailed information on concurrent displacement and relocation by other governmental agencies or private concerns;

(4) Describes the methods to be used to relocate displaced persons; and

(5) Explains the amount of lead time necessary to carry out a timely, orderly, and humane relocation program.

§ 25.57 Assurances required; displacement of persons.

(a) Except as provided in paragraph (c) of this section, no DOT official may approve a grant, contract, or agreement for a federally assisted project to which this part applies and which will result in the displacement of any person until the head of the State agency provides that official with satisfactory written assurance that—

(1) It will provide fair and reasonable relocation payments to displaced persons as required by Subparts, E, F, and G of this part;

(2) It will provide relocation assistance programs for displaced persons offering the services described in Subpart D of this part;

(3) It will adequately inform the public of the relocation payments and services which will be available under Subparts D, E, F, and G of this part; and

(4) Comparable replacement dwellings will be available, or provided if necessary, within a reasonable period of time before any person is displaced.

(b) Except as provided in paragraph (c) of this section, no DOT official may authorize a State agency to proceed with any phase of a project if that phase will cause the displacement of any person until that official receives satisfactory, written assurance from the head of the State agency that—

(1) Based on a current survey and analysis of available replacement housing and in consideration of competing demands for that housing, comparable replacement dwellings will be available within a reasonable period of time prior to displacement, equal in number to the displaced persons who require them; and

(2) The State agency relocation program is realistic and is adequate to provide orderly, timely, and efficient relocation of displaced individuals and families to decent, safe, and sanitary housing available to persons without regard to race, color, religion, or national origin with minimum hardship to those affected.

(c) Until July 1, 1972, the requirements of paragraphs (a) and (b) of this section are applicable to a State agency only to the extent that agency is able to comply with those paragraphs under State law. However, no DOT official may authorize construction for a federally assisted project which will result in the displacement of any person unless adequate replacement housing is available, or provided if necessary.

(d) If a State agency maintains that it is legally unable to provide the assurances required by paragraphs (a) and (b) of this section, it shall give the appropriate DOT official a statement specifying any provisions of the relocation assistance assurances required by this section which it is unable to provide in whole or in part under the laws of that State, and an opinion of its chief legal official discussing the issues involved and citing legal authorities in support of the conclusions for each representation of legal inability to provide any part of the required assurances.

§ 25.59 Assurances required; acquisition of real property.

(a) No DOT official may approve a grant, contract, or agreement for a Federally assisted project to which this part applies and which will result in acquisition of real property until the head of the State agency concerned provides the appropriate DOT official with satisfactory assurances that it will—

(1) Fully comply with the requirements of Subpart I of this part; and

(2) Adequately inform the public of the acquisition policies, requirements, and payments which will apply to the project.

However, until July 1, 1972, the requirements of this paragraph are applicable to a State agency only to the extent that agency is able to comply with this paragraph under State law.

(b) If a State agency maintains that it is legally unable to provide the assurances required by paragraph (a) of this section, it shall give the appropriate DOT official a statement specifying any provisions of the relocation assistance assurances required by this section which it is unable to provide in whole or in part, under the laws of that State, and an opinion of its chief legal official discussing the issues involved and citing legal authorities in support of the conclusions for each representation of legal inability to provide any part of the required assurances.

§ 25.61 Required information concerning State agency policy and procedure.

(a) Before beginning any project phase which will cause the displacement

of any person, the State agency shall submit the following information to the appropriate DOT official:

(1) A functional description of the office in the State agency which has responsibility for implementing relocation programs and the name of the individual in charge of that office.

(2) The estimated number and job titles of personnel having responsibilities for providing relocation payments and services in the central office and in any field offices showing to whom they report and their relationship to the central office.

(3) Job classifications, descriptions, and qualifications for all relocation assistance supervisory and field personnel.

(b) Before beginning any project phase which will cause the displacement of any person, the State agency shall submit to the appropriate DOT official a complete statement explaining the procedures it will follow in furnishing relocation services and making payments. The statement shall include:

(1) The citation and effective date of any applicable law.

(2) A declaration of understanding that the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is applicable to federally assisted projects including those projects on which real property acquisition is financed by State money, but where Federal financial assistance will be used in construction.

(3) A description of the extent to which relocation assistance offices, including project or field offices, will be established, their office hours, the type of lists, maps, and other information to be maintained, and the measure of accessibility to displaced persons.

(4) A description of when and by whom personal contacts with displaced persons will be made.

(5) A description of the personnel, timing, methods, and procedures to be used in advance of real property negotiations to determine—

(i) An inventory of comparable replacement dwellings;

(ii) The approximate number of displaced persons;

(iii) The needs of displaced persons for available housing; and

(iv) A relocation plan for the project.

(6) A description of procedures to be used to provide public information through brochures, public hearings, newspapers, radio, television, and other means of available assistance and payments to displaced persons. A copy of brochures shall be appended.

(7) A description of the moving expense payments to which displaced persons are entitled and the methods employed in determining the amount of entitlement. Schedules shall be appended where applicable.

(8) A description of the procedures to be followed in making replacement housing payments to homeowners and tenants; indicating who is responsible for determining replacement housing payments, the time limits and methods of applying for payments, and the eligibility requirements.

(9) A description of the incidental transfer expenses that are payable. A copy of a typical closing statement indicating those payments shall be appended.

(10) A description of the appeal procedures that are available to displaced persons.

(11) A copy of all forms developed to carry out the relocation program shall be appended.

(c) In the case of a project phase which began before June 1, 1971, and will cause the displacement of any person after July 31, 1971, the State agency shall submit the information and statement required by paragraphs (a) and (b) of this section to the appropriate DOT official not later than July 31, 1971.

§ 25.63 Use of Federal financial assistance.

(a) Federal financial assistance may not be used for relocation and acquisition costs unless—

(1) The federally assisted project concerned has been approved and authorized to proceed;

(2) The relocation and acquisition costs are lawfully incurred; and

(3) The project agreement has been executed for the particular project involved.

(b) The type of interest acquired in real property does not affect the eligibility of related relocation costs for Federal financial assistance provided the interest is sufficient to cause displacement.

(c) Federal financial assistance may not be used to pay a relocated person for any loss that is due to his negligence.

(d) Federal financial assistance may not be used for any payment under this part to a displaced person if that person receives a separate payment which is—

(1) Required by the State law of eminent domain;

(2) Determined by the appropriate DOT official to have substantially the same purpose and effect as a payment under this part; and

(3) Otherwise included as a project cost for which Federal financial assistance is available.

§ 25.65 Federal share of costs.

(a) The cost to a State agency of providing the payments and services required by this part, shall be included as part of the cost of the federally assisted project and, except as provided in paragraphs (b) and (c) of this section, the State agency is eligible for Federal financial assistance with respect to those costs in the same manner and to the same extent as other project costs.

(b) If Federal financial assistance is by grant or contribution, the Department of Transportation will pay a State agency the full amount of the first $25,000 of the cost of providing the payments and services described in this part for any displaced person because of any acquisition or displacement occurring before July 1, 1972.

(c) If Federal financial assistance is by loan, the Department of Transportation will loan a State agency the full amount of the first $25,000 of the cost of providing the payments and services described in this part for any displaced person because of any acquisition or displacement occurring before July 1, 1972.

(d) If Federal financial assistance is authorized for relocation payments made by a State agency under a law enacted before January 2, 1971, those funds may continue to be used for those payments on a pro rata basis in accordance with that law until July 1, 1972.

Subpart D—Relocation Assistance Advisory Programs

§ 25.71 Scope.

This subpart prescribes requirements for relocation assistance advisory programs for persons displaced by projects which are part of a Federal or federally assisted program administered by the Department of Transportation.

§ 25.73 Extension of services to adjacent occupants.

Each agency concerned shall provide the relocation assistance advisory services described in this subpart to all displaced persons. The agency may also offer those services to any person occupying property immediately adjacent to the real property being acquired who, in the agency's opinion, will suffer substantial economic injury.

§ 25.75 Relocation programs; general requirements.

Each agency concerned shall carry out a relocation assistance advisory program. The program shall provide for—

(a) Explaining to displaced persons the relocation assistance and payments that are available;

(b) Assisting displaced persons to complete applications required for payments;

(c) Determining the needs of displaced persons for relocation assistance;

(d) Informing displaced persons as to the availability and costs of comparable replacement dwellings and comparable locations for displaced businesses and farm operations;

(e) Assisting each displaced person to obtain and move to a comparable replacement dwelling;

(f) Informing displaced persons as to Federal and State housing programs; and

(g) Providing counsel and advice to displaced persons that will minimize the hardships associated with adjusting to a new location.

§ 25.77 Organizational requirements.

The organization and procedures of the agency concerned for carrying out a relocation assistance advisory program shall include provisions for:

(a) Assigning at least one person whose primary responsibility is to provide relocation assistance for one or more projects.

(b) Establishing a local relocation office for each project where the agency

determines that the volume of work or the needs of the displaced persons so require.

(c) Maintaining and providing the following information for each project:

(1) Lists of replacement dwellings available to persons without regard to race, color, religion, or national origin drawn from various sources, suitable in price, size, and condition for displaced persons.

(2) Current information as to security deposits, closing costs, typical down payments, interest rates, and terms for residential real property in the area.

(3) Maps showing the location of schools, parks, playgrounds, shopping, and public transportation routes in the area.

(4) Schedules and costs of public transportation in the area.

(5) Copies of the agency's brochure explaining its relocation program, local ordinances pertaining to housing, building codes, open housing, consumer education literature on housing, shelter costs, and family budgeting.

(6) Subscriptions for apartment directory services, neighborhood and metropolitan newspapers, and where available, multiple listing services.

§ 25.79 Local relocation office.

(a) A determination of whether or not to establish a local relocation office shall be made whenever any phase of a project causes the displacement of any person and submitted to the appropriate DOT official for approval.

(b) The office shall be established at a place reasonably convenient to public transportation or within walking distance of the project and shall be open during hours (including evening hours when necessary) convenient to the persons being displaced.

(c) In the employment of persons in the local relocation office, consideration should be given to those who are familiar with the problems of the area.

§ 25.81 Coordination with other agencies.

(a) Each agency concerned shall coordinate its relocation assistance activities with the local officials of the Federal Housing Administration and Veterans Administration responsible for making properties acquired by those agencies available for direct sale to persons to be relocated as a result of governmental action.
action.

(b) The person assigned by the agency to provide relocation assistance for a particular project shall maintain personal contact and exchange information with welfare agencies, urban renewal agencies, redevelopment authorities, public housing authorities, the Federal Housing Administration, the Veterans Administration, the Small Business Administration and other agencies providing services to displaced persons. He shall also collect and maintain information on private replacement properties in the area of the project through personal contact with real estate brokers, real estate boards, property managers, apartment owners and operators, and home building contractors.

§ 25.83 Public information; general.

(a) To insure public awareness of its relocation assistance advisory program, the agency concerned shall provide an opportunity for presentation of information and discussion of relocation services and payments at public hearings, prepare a relocation brochure, and give full and adequate public notice of the relocation program for each project to which this part applies.

(b) In areas where a language other than English is predominant, public information shall be published in the predominant language as well as in English, unless the appropriate DOT official finds that publication in a language other than English is unnecessary.

§ 25.85 Public information; hearings.

The information to be presented at a public hearing shall include—

(a) Eligibility requirements, payment procedures, and limitations for moving expenses and replacement housing;

(b) A description of the expenses incidental to transfer of property that will be paid;

(c) Appeal procedures;

(d) A description of how relocation assistance and services will be provided;

(e) The address and telephone number of the local office of the State agency and the name of the relocation officer in charge;

(f) The identity, local address, and telephone number of any other cooperating agency;

(g) An estimate of the number of individuals or families, businesses, and farm operations to be relocated;

(h) The estimated number of dwelling units presently available to meet the replacement housing needs; and

(i) An estimate of the time necessary for relocation and the number of comparable replacement dwellings that will become available during that period.

The extent of the presentation should depend on the comprehensiveness of the brochure. If the brochure covers a particular item in detail, it is sufficient to merely highlight what the brochure contains. If a particular item is not applicable to the project, it is not necessary to discuss the item in detail.

§ 25.87 Public information; brochure.

The agency concerned shall prepare a brochure which fully describes its relocation assistance advisory program, including information on payments for replacement housing and moving expenses. The brochure shall be distributed free of charge at all public hearings and given to any displaced person upon request. The brochure shall state where copies of any regulations implementing the relocation assistance program may be obtained.

§ 25.89 Public information; announcements.

The agency concerned shall provide brief public announcements of the relocation services, payments, and where the brochure describing the relocation pr- gram can be obtained, unless the app priate DOT official finds that public a.. nouncements are not necessary because only a small number of persons will be displaced. Public announcements shall be made over any type of mass media that is familiar to persons who will be displaced by the project, such as local newspapers, radio, television, or posted advertisements.

§ 25.91 Public information; notices.

Within 15 days after approval to begin any phase of a project which will cause the displacement of any person, the agency concerned shall post notices of acquisition in adequate numbers and in places accessible to occupants of dwellings to be taken for the project. In addition, an adequate number of advertisements shall be run in newspapers normally read by occupants of dwellings to be taken. The posted notices and newspaper advertisements shall—

(a) State the date approval was given for that phase of the project;

(b) Define the area of the project;

(c) Advise occupants of the area of the eligibility requirements for receiving moving and replacement housing payments;

(d) Advise occupants to notify the agency before moving to insure eligibility for moving and replacement housing payments;

(e) Advise homeowners that to be eligible for relocation benefits they must sell to the agency; and

(f) State where the brochure desc- ing the relocation program may obtained.

§ 25.93 Information for displaced persons.

(a) The agency concerned shall deliver to each displaced person either in person or by certified mail, return receipt requested—

(1) A brochure explaining the relocation assistance advisory program; and

(2) If it is not included in the brochure, a notice stating the eligibility requirements for payments for replacement housing and moving expenses.

(b) In addition to the information furnished under paragraph (a) of this section, the agency concerned shall deliver to each displaced homeowner or tenant, either in person or by certified mail, return receipt requested, a written statement setting forth the optional types and the actual amount of replacement housing payments to which they are entitled.

(c) The information required by paragraphs (a) and (b) of this section shall be furnished—

(1) To homeowners not later than the initiation of negotiations for the property or the issuance of a written notice of intent to acquire the property by a definite date, as the case may be; and

(2) To tenants within 7 days after the initiation of negotiations for the property or the issuance of a written notice of

intent to acquire the property by a definite date, as the case may be.

(d) The agency concerned shall notify each displaced person of his right of appeal under § 25.21.

Subpart E—Moving and Related Expenses

§ 25.111 Scope.

This subpart prescribes the requirements governing the payment of moving and related expenses of persons displaced by projects which are part of a Federal or federally assisted program administered by the Department of Transportation.

§ 25.113 Eligibility not dependent on length of occupancy.

A displaced person's eligibility for payment of moving and related expenses is not affected by the length of time that he occupied the real property from which he is displaced.

§ 25.115 Payment limited to one move; exception.

(a) Except as provided by paragraph (b) of this section, payment of a displaced person's moving and related expenses may not be made for more than one move in connection with a particular project.

(b) If the appropriate DOT official considers it to be in the public interest he may authorize payment of a displaced person's moving and related expenses for additional moves.

§ 25.117 Noneligibility notice to rental occupants required.

If an agency rents out real property acquired in connection with a project to which this part applies, it shall notify the tenant and state in the rental agreement that the tenant will not be eligible for payment of displacement, moving, and related expenses under this subpart.

§ 25.119 Moving expenses; application and payment.

(a) Upon application by a displaced person for payment of moving and related expenses, the agency concerned shall—

(1) Pay those expenses in accordance with this subpart; or

(2) If the applicant elects to receive it, pay him a fixed allowance in accordance with Subpart F of this part.

(b) The application shall be in writing and filed with the agency concerned within 1 year after the date of acquisition of the dwelling by the agency or the date the applicant vacated the dwelling, whichever is later. The application shall include an itemization of the expenses involved and, except as provided in paragraphs (d) and (e) of this section, shall be supported by receipts and such other evidence as the agency concerned may require.

(c) A displaced person may not be paid for his moving expenses in advance of the actual move unless the agency concerned finds that a hardship would otherwise result.

(d) If a displaced person, his mover, and the agency concerned agree by prearrangement in writing, the displaced person may submit an unpaid bill for moving expenses for direct payment.

(e) If the agency concerned contracts with independent movers on a schedule basis and provides a displaced person with a list of movers he may choose from to move his personal property, payment shall be made directly to the mover.

(f) In the case of a self-move by a displaced person who conducts a business or farm operation the amount of payment for actual reasonable moving expenses is negotiable but may not be more than the lower of two firm bids or estimates received by the agency concerned.

§ 25.121 Exclusions.

A displaced person is not entitled to be paid for—

(a) Additional expenses incurred because of living in a new location;

(b) Cost of moving structures or other improvements to real property which are reserved by the displaced person;

(c) Improvements to the replacement site, except when required by law;

(d) Interest on loans to cover moving expenses;

(e) Loss of good will;

(f) Loss of profits;

(g) Loss of trained employees;

(h) Personal injury;

(i) Cost of preparing the application for moving and related expenses; or

(j) Modification of personal property to adapt it to replacement site, except when required by law.

§ 25.123 Moving expenses; individuals and families.

(a) Except as provided in § 25.121, a displaced individual or family is entitled to actual reasonable expenses for—

(1) Transporting themselves and their personal property from the displacement site to a replacement site, but not more than 50 miles unless the agency concerned finds that the individual or family cannot relocate within that distance;

(2) Packing, crating, and, if the agency concerned finds it necessary, storing their personal property for not more than 6 months;

(3) If the agency concerned finds it necessary, advertising for packing, crating, storing, or transporting their personal property;

(4) Insuring against loss or damage of their personal property while in storage or transit; and

(5) Removing and reinstalling a household appliance, including reconnecting utilities, if—

(i) It is not acquired by the agency concerned as real property;

(ii) The individual or family agrees in writing that the appliance is personal property and releases the agency concerned from paying for it; and

(iii) Unless otherwise required by law, it is not a real property improvement to the location site.

(b) A displaced individual or family is entitled to be reimbursed for uninsurable loss or damage of their personal property while in the process of moving, if the loss or damage was not a result of their fault or negligence.

§ 25.125 Moving expenses; businesses and farm operations.

(a) Except as provided in § 25.121, a displaced person who conducts a business or farm operation which is discontinued or relocated is entitled to actual reasonable expenses for—

(1) Transporting his personal property from the displacement site to a replacement site, but not more than 50 miles, unless, in the case of relocation, the agency concerned finds that the business or farm operation cannot be relocated within that distance;

(2) Packing, crating, and, if the agency concerned finds it necessary, storing his personal property for not more than 6 months;

(3) If the agency concerned finds it necessary, advertising for packing, crating, storing, or transporting his personal property;

(4) Insuring against loss or damage of his personal property while in storage or transit;

(5) Removing and reinstalling machinery and equipment including reconnecting utilities, if—

(i) It is not acquired by the agency concerned as real property;

(ii) The displaced person agrees in writing that the machinery or equipment is personal property and releases the agency concerned from paying it; and

(iii) Unless otherwise required by law, it is not a real property improvement to the location site; and

(6) Searching for a replacement business or farm operation, to the extent those expenses meet the requirements of § 25.133.

(b) A displaced person who conducts a business or farm operation which is discontinued or relocated is entitled to the actual direct losses of personal property resulting from the discontinuation or move, to the extent those losses meet the requirements of § 25.131.

(c) A displaced person who conducts a business or farm operation which is relocated is entitled to be reimbursed for uninsurable loss or damage of his personal property while in the process of moving, if the loss or damage is not the result of his fault or negligence.

§ 25.127 Moving expenses; advertising businesses.

A displaced person who conducts a lawful activity primarily for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of outdoor advertising displays, whether or not the displays are located on the

premises on which any of those activities are conducted, is entitled to the moving expenses described in § 25.125.

§ 25.129 Low value, high bulk property; businesses and farm operations.

In the case of low value, high bulk personal property, such as junk, stockpiled sand, gravel, minerals, metals, or similar items, used in connection with a relocated business or farm operation, payment for actual reasonable moving expenses may not be more than the cost of replacing that property at the relocation site less the amount for which it could be sold at the displacement site.

§ 25.131 Actual direct losses; businesses and farm operations.

(a) Subject to the requirements and limitations in paragraphs (b) through (f) of this section, a displaced person who conducts a business or farm operation is entitled to payment for actual direct losses of personal property that is used in connection with the business or farm operation but is—

(1) No longer needed because the business or farm operation is being discontinued; or

(2) Not being moved to a relocation site because it is not suitable for use there.

(b) If a business or farm operation is relocated, payment for actual direct losses of personal property may not be more than the amount the agency concerned determines the reasonable moving expenses would be for moving that property to the relocation site.

(c) A displaced person who conducts a business or farm operation shall make a bona fide effort to sell personal property he does not move.

(d) If a displaced person relocates a business or farm operation and sells an item of personal property that he does not move and promptly replaces it with a comparable item, payment for actual direct loss of the original item may not be more than the replacement cost less its sale price, or the cost of moving the original item, whichever is less.

(e) If a displaced person discontinues a business or farm operation and sells an item of personal property, payment for actual direct loss of that item may not be more than the inplace value of the item less its sale price, or the cost of moving it, whichever is less.

(f) If a displaced person who conducts a business or farm operation abandons an item of personal property after making a bona fide effort to sell that property, payment for the actual direct loss of that item may not be more than the inplace value of the item less what its sale price would have been, or the cost of moving it, whichever is less.

§ 25.133 Expenses in searching for replacement business or farm operation.

(a) Except as provided in paragraph (b) of this section, a displaced person who conducts a business or farm operation is entitled to not more than $500, or such higher amount as the agency concerned considers justified under the circumstances, for actual reasonable expenses in searching for a replacement business or farm operation including—

(1) Cost of travel;

(2) Cost for meals and lodging;

(3) An amount for time spent searching, based on the salary or earnings of the displaced person from the business or farm operation, but not more than $10 per hour; and

(4) If the agency concerned considers it desirable, the cost of a broker or realtor to locate a replacement site.

(b) A displaced person who conducts an advertising business described in § 25.127, is entitled to not more than $100, or if the agency concerned considers it justified under the circumstances not more than $500, for actual reasonable expenses in searching for a replacement outdoor advertising display site.

Subpart F—Fixed Allowance in Lieu of Moving and Related Expenses

§ 25.151 Scope.

This subpart prescribes the requirements governing payment of dislocation and moving expense allowances to displaced persons who are eligible for payment of their actual moving and related expenses under Subpart E of this part, but elect to receive a fixed allowance in lieu thereof.

§ 25.153 Schedule of moving expense allowances; individuals and families.

The Federal Highway Administrator shall establish and maintain a schedule of moving expense allowances applicable to individuals and families displaced by projects to which this part applies for each State. The schedule shall cover every locality in the State and shall be based on current local moving costs. The allowance for any individual or family may not be more than $300.

§ 25.155 Dislocation and moving expense allowances; individuals and families.

(a) Except as provided in paragraph (b) of this section, a displaced individual or family who elects to receive fixed dislocation and moving expense allowances in lieu of payment of actual moving and related expenses is entitled to—

(1) A dislocation allowance of $200; and

(2) The applicable moving expense allowance specified in the schelule of moving expense allowances maintained under § 25.153 for the locality concerned.

(b) Two or more individuals, not a family, who occupy the same dwelling, are considered to be a single family for the purposes of this section.

§ 25.157 Fixed allowance; businesses.

(a) A displaced person who conducts a business and elects to receive a fixed allowance in lieu of actual moving and related expenses is entitled to a fixed amount equal to the average annual net income of the business, computed in accordance with § 25.161, but not less than $2,500 or more than $10,000, if that business—

(1) Substantially contributes to income of the displaced person;

(2) Cannot, in the opinion of the agency concerned, be relocated without substantial loss of existing patronage taking into consideration—

(i) The type of the business;

(ii) The nature of its clientele; and

(iii) The relative importance of the displacement and proposed relocation sites to the business; and

(3) Is not part of a commercial enterprise having at least one other establishment engaged in the same or similar business which is not being acquired by a State agency or the United States.

§ 25.159 Fixed allowance; farm operation.

(a) A displaced person who conducts a farm operation and elects to receive a fixed allowance in lieu of actual moving and related expenses is entitled to a fixed amount equal to the average annual net income of the farm operation, computed in accordance with § 25.161, but not less than $2,500 or more than $10,000.

(b) In the case of a partial acquisition and displacement of a farm operation, the fixed allowance described in paragraph (a) of this section may be paid only if the agency concerned finds that—

(1) The displaced activity was a farm operation before the acquisition of the displacement site; and

(2) The property remaining after acquisition is not an economic unit.

§ 25.161 Computing average annual income; businesses and farm operations.

(a) For the purposes of this subpart, the average annual net income of a business or farm operation is its average annual net earnings before Federal, State, and local income taxes during the 2 tax years immediately preceding the tax year in which it is displaced. Net earnings include compensation obtained from the business or farm operation by its owner, his spouse, or dependents, or in the case of a corporate owner, by the holder of a majority of the common stock, his spouse, or dependents.

(b) For the purpose of determining majority ownership, stock held by an individual, his spouse, and his dependents shall be treated as a unit.

(c) If the agency concerned finds that the 2 tax years immediately preceding displacement are not representative, or if the business or farm operation has not been in operation that long, it may, with the concurrence of the appropriate DOT official, prescribe some other time period for computing average annual net income.

(d) If a displaced person who conducts a business or farm operation elects to receive a fixed payment under this subpart, he shall provide proof of his earnings from the business or farm operation to the agency concerned. Proof of earnings may be established by income tax

returns, certified financial statements, or other similar evidence.

Subpart G—Replacement Housing Payments

§ 25.171 Scope.

This subpart prescribes the requirements governing payment for replacement housing for individuals and families displaced by projects which are part of a Federal or federally assisted program administered by the Department of Transportation.

§ 25.173 Purchase of a decent, safe, and sanitary dwelling.

A displaced tenant or homeowner "purchases" a dwelling within the meaning of this subpart when he—

(a) Acquires an existing dwelling;

(b) Rehabilitates a substandard dwelling which he owns or acquires;

(c) Relocates a dwelling which he owns or acquires;

(d) Relocates and rehabilitates a substandard dwelling which he owns or acquires;

(e) Constructs a new dwelling on a site which he owns or acquires;

(f) Contracts to purchase a dwelling on a site provided by a builder; or

(g) Contracts for the construction of a dwelling on a site provided by a builder or on a site which he owns or acquires.

§ 25.175 Occupancy.

(a) A displaced tenant or homeowner "occupies" a dwelling within the meaning of this subpart only if the dwelling is his permanent place of residence.

(b) If a tenant or homeowner contracts for the construction or rehabilitation of a replacement dwelling, and for reasons not within his control the construction or rehabilitation is delayed beyond the date occupancy is required, the agency concerned may extend the period of eligibility for a replacement housing payment until the tenant or homeowner occupies the replacement dwelling.

§ 25.177 Inspection of replacement dwelling required.

(a) Before making a replacement housing payment to a displaced homeowner or tenant, or releasing a payment from escrow, as the case may be, the agency concerned shall inspect the replacement dwelling to determine whether or not it meets the criteria for decent, safe, and sanitary dwellings. The agency concerned may use the services of any public agency ordinarily engaged in housing inspection to conduct the inspection required by this section.

(b) A determination by the agency concerned that a dwelling meets the criteria for decent, safe, and sanitary housing is solely for the purpose of this subpart and is not a representation for any other purpose.

§ 25.179 Application and payment.

(a) Upon application by a displaced homeowner or tenant who meets the requirements of this subpart for a replacement housing payment, the agency concerned shall—

(1) If he has purchased or rented, and occupied a decent, safe, and sanitary dwelling, make the payment directly to him, or, at his option, to the seller or lessor of the decent, safe, and sanitary dwelling; or

(2) If he has purchased or rented, but not yet occupied a decent, safe, and sanitary dwelling, upon his request make the payment into an escrow account.

(b) The application shall be in writing and filed with the agency concerned within 18 months after the date the applicant was required to vacate an acquired dwelling or 6 months after final adjudication of a condemnation proceeding, whichever is later.

§ 25.181 Eligibility.

(a) A displaced homeowner is eligible for a replacement housing payment under § 25.183 if he—

(1) Qualifies as a displaced person under § 25.11;

(2) Actually owned and occupied the acquired dwelling for at least 180 consecutive days immediately before the initiation of negotiations for the property or the issuance of a written notice of intent to acquire the property by a definite date, as the case may be; and

(3) Purchases and occupies a decent, safe, and sanitary dwelling within 1 year after the date he receives final payment for the acquired dwelling, or 1 year after the date he is required to move from the acquired dwelling, whichever is later.

(b) A displaced homeowner is eligible for a replacement housing payment under § 25.185 if he—

(1) Qualifies as a displaced person under § 25.11;

(2) Actually owned and occupied the acquired dwelling for at least 90 consecutive days immediately before the initiation of negotiations for the property or the issuance of a written notice of intent to acquire the property by a definite date, as the case may be; and

(3) Rents or purchases, and occupies a decent, safe, and sanitary dwelling within 1 year after the date he receives final payment for the acquired dwelling, or 1 year after the date he is required to move from the acquired dwelling, whichever is later.

(c) A displaced tenant is eligible for a replacement housing payment under § 25.185 if he—

(1) Qualifies as a displaced person under § 25.11;

(2) Actually occupied the acquired dwelling for at least 90 consecutive days immediately before the initiation of negotiations for the property or the issuance of a written notice of intent to acquire the property by a definite date, as the case may be; and

(3) Rents or purchases, and occupies a decent, safe, and sanitary dwelling within 1 year after the date he is required to move from the acquired dwelling.

(d) For the purpose of paragraphs (a)(2) and (b)(2) of this section, if a homeowner inherits an interest in a dwelling by devise or operation of law, his tenure of ownership includes the tenure of the preceding homeowner.

§ 25.183 Replacement housing payment; purchase price.

A displaced homeowner who qualifies under § 25.181(a) is entitled to a replacement housing payment of not more than $15,000. Within that limitation the payment shall include the following amounts:

(a) If the reasonable cost of a comparable replacement dwelling is more than the acquisition price of the acquired dwelling, the difference between them.

(b) If there was a bona fide mortgage which constituted a valid lien on the acquired dwelling for at least 180 days before the initiation of negotiations for the acquired dwelling and if the cost of financing the purchase of a replacement dwelling includes increased interest costs, an amount to compensate for that increase.

(c) An amount necessary to cover incidental expenses on the purchase of a replacement dwelling, but not including prepaid expenses.

§ 25.185 Replacement housing payments; rent and down payments.

A displaced homeowner who qualifies under § 25.181(b) or a displaced tenant who qualifies under § 25.181(c), is entitled to a replacement housing payment of not more than $4,000. Within that limitation the payment shall be that amount necessary for the homeowner or tenant to—

(a) Rent a comparable replacement dwelling for a period of not more than 4 years; or

(b) Make the down payment required for a conventional loan and cover the incidental expenses on the purchase of a comparable replacement dwelling.

§ 25.187 Rules for considering land values.

In determining the amount of a replacement housing payment under § 25.183(a) the following rules apply:

(a) If the dwelling is located on a tract typical for residential use in the area, the amount payable is the probable selling price of a comparable replacement dwelling on a tract typical for the area less the value of the acquired property.

(b) If the dwelling is located on a tract larger than typical for residential use in the area, the amount payable is the probable selling price of a comparable replacement dwelling on a tract typical for the area less the estimated value of the dwelling assuming it was located on a tract typical for the area.

(c) If the dwelling is located on a tract that has a use higher and better than residential, the amount payable is the probable selling price of a comparable replacement dwelling on a tract typical for residential use in the area less the estimated value of the dwelling assuming it was located on a tract typical for residential use in the area.

§ 25.189 Limitations; payment for purchase price.

(a) The price established as the reasonable cost of a comparable replacement dwelling sets the upper limit of the differential amount payable under § 25.183(a). To qualify for the full amount, the homeowner must purchase and occupy a decent, safe, and sanitary dwelling higher in value than the acquired dwelling.

(b) If the homeowner voluntarily purchases and occupies a decent, safe, and sanitary dwelling at a price less than the reasonable cost established for a comparable replacement dwelling, the amount payable under § 25.183(a) is that amount required to pay the difference between the acquisition price of the acquired dwelling and the actual purchase price of the decent, safe, and sanitary dwelling.

§ 25.191 Reasonable cost of comparable replacement dwelling.

(a) In determining the reasonable cost of a comparable replacement dwelling available on the private market, the agency concerned shall use one of the following methods:

(1) It may establish a schedule of reasonable acquisition costs for the various types of comparable replacement dwellings which are available. If more than one agency is administering a project causing displacements in the area, it shall cooperate with those agencies in establishing a uniform schedule for the area. The schedule must be based on a current analysis of the market to determine a reasonable cost for each type of dwelling to be purchased. In large urban areas this analysis may be confined to one area of the city, or may cover several different areas if they are comparable and equally accessible to public services and places of employment. To assure the greatest comparability of dwellings in any analysis, the analysis shall be divided into classifications of the type of construction, number of rooms, and price ranges.

(2) It may determine the reasonable cost of a comparable replacement dwelling by examining the probable selling prices of at least three comparable replacement dwellings which are available. Selection of the dwellings must be made by a qualified employee of the agency concerned who is familiar with real property values and current real estate transactions.

(3) If it finds that the methods described in subparagraphs (1) and (2) of this paragraph are not feasible for determining the reasonable cost of a comparable replacement dwelling, it may propose what it considers to be a feasible method to the appropriate DOT official for approval.

§ 25.193 Owner retention.

(a) If a displaced homeowner elects to retain and move his dwelling, the amount payable under § 25.183(a) is the difference between the acquisition price of the acquired dwelling and the sum of—

(1) The moving and restoration expenses;

(2) The cost of correcting decent, safe, and sanitary deficiencies, if any; and

(3) The estimated selling price of a comparable relocation site.

(b) The amount computed in accordance with paragraph (a) of this section is subject to the limitations prescribed in § 25.189.

§ 25.195 Increased interest costs.

(a) The amount payable for increased interest costs under § 25.183(b) is—

(1) The present value of the difference in interest costs and other debt service costs charged for refinancing an amount not more than the balance of the mortgage on the acquired dwelling at the time of acquisition over a period not more than the remaining term of that mortgage; or

(2) An amount based on a schedule prescribed or approved by the appropriate DOT official and computed in accordance with this section.

(b) For purposes of computing increased interest costs, the following rules apply:

(1) The interest charge on the new mortgage may not exceed the prevailing interest rate currently charged by mortgage lending institutions in the area.

(2) The present value of the increased interest cost shall be computed at the prevailing interest rate paid on savings deposits by commercial banks in the area.

§ 25.197 Incidental expenses.

(a) The incidental expenses payable under § 25.183(c) or § 25.185(b) is the amount necessary to compensate the homeowner or tenant for actual costs incurred incident to the purchase of a decent, safe, and sanitary dwelling, including the following:

(1) Legal closing costs, including title search, preparing conveyance contracts, notary fees, surveys, preparing drawings of plots, and charges incident to recordation.

(2) Lender, FHA, or VA appraisal fees.

(3) FHA or VA application fee.

(4) Certification of structural soundness when required by the lender, FHA, or VA.

(5) Credit report.

(6) Title policies or abstract of title.

(7) Escrow agent's fee.

(8) State revenue stamps or sale or transfer taxes.

(b) An incidental expense which is part of a finance charge under the Truth in Lending Act, Title I, Public Law 90–321, and Regulation "Z" issued thereunder by the Board of Governors of the Federal Reserve System, may not be reimbursed.

§ 25.199 Computation of rental payments; tenants.

(a) The amount payable to a displaced tenant, other than a tenant of the agency concerned, for rent under § 25.185(a) is 48 times the reasonable monthly rent for a comparable replacement dwelling, less 48 times the average month's rent paid by the displaced tenant for the last 3 months before initiation of negotiations for the acquired dwelling if that rent was reasonable, and if not reasonable 48 times the monthly economic rent for the dwelling unit as established by the agency concerned.

(b) The amount payable to a displaced tenant of the agency concerned for rent under § 25.185(a) is 48 times the reasonable monthly rent for a comparable replacement dwelling less 48 times the monthly economic rent.

§ 25.201 Computation of rental payments; homeowners.

The amount payable to a displaced homeowner is 48 times the reasonable monthly rent for a comparable replacement dwelling less 48 times the monthly economic rent, but not more than the homeowner would receive if he were eligible for a payment under § 25.183.

§ 25.203 Determining reasonable monthly rent.

In determining the reasonable monthly rent for a comparable replacement dwelling for the purposes of §§ 25.199 and 25.201, the agency concerned shall use one of the following methods:

(a) It may establish a schedule of monthly rents for each type of dwelling required. The schedule shall be based on an analysis of the available private market. If more than one agency is administering a project causing displacement in the area, it shall cooperate with those agencies in establishing a uniform schedule for the area.

(b) It may determine a reasonable rent by examining the rent of at least three comparable replacement dwellings available on the private market.

(c) If it finds that the methods described in paragraphs (a) and (b) of this section are not feasible, it may propose what it considers to be a feasible method to the appropriate DOT official for approval.

§ 25.205 Rental payments; method of payment.

If a rental payment under § 25.185(a) is more than $500, it shall be made in four equal annual installments. Before making an annual payment, the agency concerned shall verify that the tenant still occupies a decent, safe, and sanitary dwelling.

§ 25.207 Computation of down payments.

The amount payable to a displaced homeowner or tenant for a down payment under § 25.185(b) is the full amount of the first $2,000 of the required down payment plus one-half of any amount required over $2,000. However, the homeowner or tenant must provide the other half of any amount required over $2,000.

§ 25.209 Down payments.

A displaced homeowner or tenant shall apply the full amount of the payment to which he is entitled under § 25.185(b) to the down payment and the incidental expenses described in the closing statement.

§ 25.211 Provisional payment pending condemnation.

If the exact amount of a replacement housing payment cannot be determined because of a pending condemnation suit, the agency concerned may make a provisional replacement housing payment to the displaced homeowner based on the agency's maximum offer for the property, but only if the homeowner enters into an agreement with the agency that—

(a) Upon final adjudication of the condemnation suit the replacement housing payment will be recomputed on the basis of the acquisition price determined by the court;

(b) If the acquisition price as determined by the court is greater than the agency's maximum offer upon which the provisional replacement housing payment is based, the difference shall be refunded to the agency; and

(c) If the acquisition price as determined by the court is less than the agency's maximum offer upon which the provisional replacement housing payment is based, the difference shall be paid to the homeowner.

§ 25.213 Combined payments.

(a) If a homeowner is eligible for payment under § 25.183, but has previously received a rental payment under § 25.185(a), the amount of rental payment previously received shall be deducted from any amount that he receives under § 25.183.

(b) If a homeowner or tenant is eligible for a down payment under § 25.185(b), but has previously received a rental payment under § 25.185(a), the amount of rental payment previously received shall be deducted from the amount of any down payment that he receives under § 25.185(b).

§ 25.215 Partial use of home for business or farm operation.

(a) In the case of a displaced homeowner or tenant who has allocated part of his dwelling for use in connection with a displaced business or farm operation, a replacement housing payment may not be paid for that part of the property which is allocated to the business or farm operation.

(b) The eligibility of a person to receive a payment under § 25.125 is not affected by this section.

§ 25.217 Multiple occupants of a single dwelling.

(a) If two or more families, or an individual and a family, occupy the same dwelling, each individual or family that elects to relocate separately is entitled to a separately computed replacement housing payment.

(b) If two or more individuals, not a family, occupy the same dwelling, they shall be treated as a single family in computing a replacement housing payment.

§ 25.219 Multifamily dwelling.

In the case of a displaced homeowner who is required to move from a one-family unit of a multifamily building which he owns, the replacement housing payment shall be based on the cost of a comparable one-family unit in a multifamily building or a single-family structure, without regard for the number of units in the building being acquired.

§ 25.221 Certificate of eligibility pending purchase of replacement dwelling.

Upon request by a displaced homeowner or tenant who has not yet purchased and occupied a comparable replacement dwelling, but who is otherwise eligible for a replacement housing payment under this subpart, the agency concerned shall certify to any interested party, financial institution, or lending agency, that the displaced homeowner or tenant will be eligible for the payment of a specific sum if he purchases and occupies a decent, safe, and sanitary dwelling within the time limits prescribed by § 25.181(a)(3), (b)(3), or (c)(3), as the case may be.

Subpart H—Relocation Assistance Functions Carried Out Through Other Agencies

§ 25.231 Authority to carry out relocation assistance through other agencies.

To prevent unnecessary expenses and duplication of activities, an agency concerned that is required to provide relocation services or make relocation payments under this part may carry out any of those functions through the facilities, personnel, and services of any Federal, State, or local governmental or private agency having an established organization for conducting relocation assistance programs.

§ 25.233 Information to be furnished to DOT.

If an agency concerned elects to provide relocation services or make relocation payments through another agency, the agency shall furnish the appropriate DOT official with the following information concerning the other agency:

(a) The name and location of the agency.

(b) An analysis of the agency's present workload and of its ability to perform the requirements of this subpart.

(c) The estimated number and the job titles of relocation personnel of the agency that will provide the relocation assistance for the project.

§ 25.235 Interagency agreement required.

If an agency concerned elects to provide relocation services or make relocation payments through another agency, it shall enter into a written agreement with that agency. The agreement must be approved by the appropriate DOT official and contain the following:

(a) An obligation on the part of the other agency to perform the services and make the relocation payments in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and this part.

(b) A requirement that the records required by § 25.23 be retained by the other agency or turned over to the agency concerned and that they be retained for a period of at least 3 years after payment of the final voucher on each project, regardless of which agency retains them.

(c) A requirement that the records required by § 25.23 be available for inspection by representatives of the Department of Transportation at any reasonable business hour.

(d) If the contract is with a public agency administering another Federal or federally assisted program, a description of the financial responsibilities of each program to finance the relocation program required by this part.

(e) A provision acknowledging that only those costs directly chargeable to the Federal or federally assisted project are eligible for Federal funds.

(f) The clauses set forth in Appendix A of the Civil Rights Assurances and the requirements of Part 21 of this subtitle.

(g) A provision for negotiation of major changes that become necessary in the scope, character, or estimated total cost of the work to be performed.

§ 25.237 Amendment of existing agreements required.

Each agreement between an agency concerned and another agency for carrying out relocation assistance functions through the other agency that is in effect on June 1, 1971, shall be amended or supplemented as necessary to include the requirements of § 25.235. The agency concerned shall furnish the appropriate DOT official with a copy of the amended agreement or the existing agreement and the supplement, as the case may be.

Subpart I—Acquisition of Real Property

§ 25.251 Scope.

This subpart prescribes requirements for the acquisition of real property in a Federal or federally assisted program administered by the Department of Transportation.

§ 25.253 Real property acquisition practices.

(a) In acquiring real property, each agency concerned shall to the greatest extent practicable—

(1) Make every reasonable effort to acquire real property expeditiously through negotiation;

(2) Before the initiation of negotiations have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property;

(3) Before the initiation of negotiations, establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount;

(4) Before requiring any owner to surrender possession of real property—

(i) Pay the agreed purchase price;

(ii) Deposit with the court, for the benefit of the owner, an amount not less than the agency's approved appraisal of the fair market value of the property;

(iii) Or pay the amount of the award of compensation in a condemnation proceeding for the property;

(5) If interest in real property is to be acquired by exercise of the power of eminent domain, institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property; and

(6) If the acquisition of only part of a property would leave its owner with an uneconomic remnant, offer to acquire that remnant.

(b) In acquiring real property, to the greatest extent practicable an agency may not—

(1) Schedule the construction or development of a public improvement that will require any person lawfully occupying real property to move from a dwelling, or to move his business or farm operation, without giving that person at least 90 days' written notice of the date he is required to move;

(2) If it rents acquired real property to the former owner or tenant for short term or subject to termination by the agency on short notice, charge rent that is more than the fair rental value of the property to a short-term occupant;

(3) Advance the time of condemnation;

(4) Defer negotiations, condemnation, or the deposit of funds in court for use of the owner; or

(5) Take any coercive action to compel an owner to agree to a price for his property.

§ 25.255 Statement of just compensation to owner.

At the time it makes an offer to purchase real property, the agency concerned shall provide the owner of that property with a written statement of the basis for the amount estimated to be just compensation. The statement shall include the following:

(a) An identification of the real property and the particular interest being acquired.

(b) A certification, where applicable, that any separately held interest in the real property is not being acquired in whole or in part.

(c) An identification of buildings, structures, and other improvements, including fixtures, removable building equipment, and any trade fixtures which are considered to be part of the real property for which the offer of just compensation is made.

(d) An identification of any real property improvements, including fixtures, not owned by the owner of the land.

(e) An identification of the types and approximate quantity of personal property located on the premises that is not being acquired.

(f) A declaration that the agency's determination of just compensation—

(1) Is based on the fair market value of the property;

(2) Is not less than the approved appraised value of the property;

(3) Disregards any decrease or increase in the fair market value caused by the project for which the property is being acquired; and

(4) In the case of separately held interests in the real property, includes an apportionment of the total just compensation for each of those interests.

(g) The amount of damages to any remaining real property.

§ 25.257 Equal interest in improvements to be acquired.

In acquiring any interest in real property each agency concerned shall acquire at least an equal interest in all buildings, structures, or other improvements located on that real property which will be removed or which will be adversely affected by the completed project.

§ 25.259 Payments to tenants for improvements.

(a) In the case of a building, structure, or other improvement owned by a tenant on real property acquired for a project to which this part applies, the agency concerned shall, subject to paragraph (b) of this section, pay the tenant the larger of—

(1) The fair market value of the improvement, assuming its removal from the property; or

(2) The enhancement to the fair market value of the real property.

(b) A payment may not be made to a tenant under paragraph (a) this section unless—

(1) The tenant, in consideration for the payment, assigns, transfers, and releases to the agency concerned all his right, title, and interest in the improvement;

(2) The owner of the land involved disclaims all interest in the improvement; and

(3) The payment is not duplicated by any payment otherwise authorized by law.

§ 25.261 Expenses incidental to transfer of title.

As soon as possible after real property has been acquired, the agency concerned shall reimburse the owner for—

(a) Recording fees, transfer taxes, and similar expenses incidental to conveying the real property to the agency;

(b) Penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property; and

(c) The pro rata portion of any prepaid real property taxes which are allocable to a period subsequent to the date of vesting title in the agency or the effective date of possession of the real property by the agency, whichever is the earlier.

§ 25.263 Litigation expenses.

(a) In any condemnation proceeding brought by the agency concerned to acquire real property, it shall reimburse the owner of any right, title, or interest in the real property for his reasonable costs, disbursements, and expenses, including attorney, appraisal, and engineering fees, actually incurred because of the proceeding, if—

(1) The final judgment is that the agency concerned cannot acquire the real property by condemnation; or

(2) The proceeding is abandoned by the agency concerned.

(b) In any inverse condemnation proceeding where the owner of any right, title, or interest in real property receives an award of compensation by judgment or settlement, the agency concerned shall reimburse the plaintiff for his reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees, actually incurred because of the proceeding.

APPENDIX A—RECORDS

The following list sets forth relocation information which an agency concerned shall maintain for each Federal or federally assisted project that it administers.

I. *General.* The agency concerned shall keep a record of the following general information concerning the project:

(1) Project and parcel identification.

(2) Name and address of each displaced person; his new address and telephone number if available.

(3) Dates of all personal contacts made with each displaced person.

(4) Date each displaced person is given notice of relocation payments and services.

(5) Name of agency employee who offers relocation assistance.

(6) Whether the offer of assistance is declined or accepted, and the name of the individual who accepts or declines the offer.

(7) Date each displaced person is required to move.

(8) Date of actual relocation, and whether relocation was accomplished with the sistance of the agency concerned, o agencies, or without assistance.

(9) Type of tenure held by each displaced person before and after relocation.

II. *Displacements from dwellings.* The agency concerned shall keep a record of the following information concerning each individual or family displaced from a dwelling in connection with the project:

(1) Number in family, or number of individuals.

(2) Type of dwelling.

(3) Fair market value, or monthly rent.

(4) Number of rooms.

III. *Displaced businesses.* The agency concerned shall keep a record of the following information concerning each business displaced in connection with the project:

(1) Type of business.

(2) Whether or not relocated.

(3) If relocated, distance moved.

(4) Data supporting a determination that a business cannot be relocated without a substantial loss of its existing patronage and that it is not part of a commercial enterprise having at least one other establishment not being acquired by a State agency or the United States.

IV. *Moving expenses.* The agency concerned shall keep a record of the following information concerning each payment of moving and related expenses in connection with the project:

(1) The date personal property is moved, and the original and new locations of the personal property.

(2) If personal property is stored temporarily—

(a) The place of storage;

(b) The duration of storage; and

(c) A statement of why storage is necessary.

(3) An account of all moving expenses that are supported by receipted bills or similar evidence of expense;

4) Amount of reimbursement claimed, ...nt allowed, and an explanation of any ...erence.

(5) In the case of a business or farm operation that receives a fixed allowance in lieu of moving expenses, data underlying the computation of such payment.

V. *Replacement housing payments.* The agency concerned shall keep a record of the following information concerning each relocation housing payment made in connection with the project:

(1) The date application for payment is received.

(2) The date application for payment is approved or rejected.

(3) Data substantiating the amount of payment.

(4) If replacement housing is purchased, a copy of the closing statement indicating the purchase price, down payment, and incidental expenses.

(5) Whenever a rental payment is made by annual installment, a statement confirming that the tenant still occupies a decent, safe, and sanitary dwelling.

(6) A copy of the Truth in Lending Statement, or other data, including computations, that confirms the increased interest payment.

[FR Doc.71-6959 Filed 5-19-71;8:45 am]

COPY OF FEDERAL REGISTER

VOL. 36 Number 190

(Pages 19162-19165)

Title 49—TRANSPORTATION

Subtitle A—Office Of the Secretary Of Transportation

[OST Docket No. 29; Amdt. 25-1]

PART 25—RELOCATION ASSISTANCE AND LAND ACQUISITION UNDER FEDERAL AND FEDERALLY-ASSISTED PROGRAMS

Moving Expense Schedule

This amendment adds a new Appendix B to Part 25 of the regulations of the Office of the Secretary of Transportation to establish a schedule of moving expense allowances.

Section 202(b) of the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" authorizes each Federal agency to pay a moving expense allowance to eligible displaced persons in accordance with a schedule established by the head of the agency. Under § 25.153 of Title 49, Code of Federal Regulations (36 F.R. 9186), the Federal Highway Administrator is required to establish and maintain that schedule for Federal or federally assisted

projects administered by the Department of Transportation.

Pursuant to interim guidelines issued by the Office of Management and Budget for implementation of the Act, the schedule is based on moving allowance schedules maintained by the respective highway departments of each State, Puerto Rico, and the District of Columbia. Table I of the Appendix sets forth allowances for moving personalty from a dwelling. Table II fixes amounts payable for moving a mobile home. Since it is improbable that a mobile home would be used as a residence in Puerto Rico or the District of Columbia, these jurisdictions were not included under Table II.

It is expected that the schedule will be revised from time to time to reflect current prices in the moving market.

In addition to each moving expense allowance provided in Tables I and II, a $200 dislocation allowance will also be provided.

Because of the large number of qualified persons who are eligible for payment under the schedule, the delay attendant to notice and public procedures would not be in the best interest of the public. For the same reason, good cause exists for making this amendment effective immediately. However, interested persons who wish to submit written comments concerning the schedule may submit them in duplicate to the Docket Clerk, Office of General Counsel, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590, by October 31, 1971. All submissions should be identified by OST Docket No. 29. They will be given consideration along with comments addressed to the body of Part 25 received under a request for public participation in 36 F.R. 9178. Copies of submissions will be available for examination in Room 10100, Nassif Building, 400 Seventh Street SW., Washington, DC.

In consideration of the foregoing, Part 25 of Title 49 of the Code of Federal Regulations is amended as set forth below effective upon issuance.

This amendment is issued under authority of section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1900.

Issued in Washington, D.C., on September 17, 1971.

F. C. TURNER,
Federal Highway Administrator.

1. The table of contents is amended by adding the following at the end thereof:

Appendix B—Schedule of Moving Expense Allowances

2. A new Appendix B is added to read as follows:

APPENDIX B

SCHEDULE OF MOVING EXPENSE ALLOWANCES

The following tables are a schedule of moving expense allowances applicable to displaced individuals and families.

Table I sets forth allowances of $300 or less for each State, Puerto Rico, and the District of Columbia for the moving of personalty from a dwelling (including a mobile home) in cases where the occupant concerned—

(1) Provides furniture for the dwelling; and

(2) Does not provide furniture for the dwelling.

Table II sets forth allowances of $300 or less for each State for the movement of a mobile home. Allowance is determined by the number of miles of movement, trailer area in square feet, or trailer width, as the case may be.

TABLE I—PERSONALTY

State	Occupant provides furniture										Occupant does not provide furniture	
	Number of rooms of furniture										First room	Each additional room
	1	2	3	4	5	6	7	8	9	10		
Alabama	50	75	105	135	160	190	220	250	270	300	15	10
Alaska	75	150	200	250	275	300					15	15
Arizona	50	80	120	160	200	240	280	300			15	10
Arkansas	50	75	105	135	150	180	210	240	270	300	20	10
California	50	80	120	160	200	240	280	300			15	10
Colorado	50	90	130	170	210	240	270	300			20	15
Connecticut	50	90	140	170	230	260	300				15	15
Delaware	50	90	125	150	175	200	225	250	275	300	25	15
District of Columbia	65	90	115	140	165	190	215	240	265	300	25	10
Florida	60	90	120	150	180	210	240	270	300		20	10
Georgia	45	75	105	135	165	210	255	300			25	10
Hawaii	50	80	120	160	200	240	280	300			15	10
Idaho	60	100	140	180	220	260	300				20	10
Illinois	50	90	130	170	210	240	270	300			25	15
Indiana	50	90	125	160	195	230	265	300			25	15
Iowa	55	105	150	190	225	255	280	300			25	10
Kansas	60	120	180	240	300						30	10
Kentucky	50	90	130	170	210	250	290	300			20	15
Louisiana	50	85	120	155	190	225	260	300			40	15
Maine	50	90	125	150	175	200	225	250	275	300	15	10
Maryland	50	90	140	185	230	275	300				20	10
Massachusetts	60	130	150	190	225	250	275	300			25	15
Michigan	50	100	140	180	215	250	280	300			30	10
Minnesota	65	95	125	150	175	200	225	250	275	300	25	10
Mississippi	50	75	100	125	150	185	210	235	265	300	25	10
Missouri	50	100	150	200	250	300					25	10
Montana	50	80	110	140	170	200	230	260	290	300	20	10
Nebraska	50	100	140	180	220	260	290	300			20	
Nevada	50	80	120	160	200	240	280	300			15	
New Hampshire	50	90	125	150	175	200	225	250	275	300	25	
New Jersey	60	110	150	190	225	250	275	300			25	15
New Mexico	50	80	110	140	170	200	220	240	270	300	25	15
New York	50	110	150	190	225	250	275	300			25	15
North Carolina [1]	50	75	110	135	165	195	215	230	265	300	15	10
North Dakota	60	100	125	150	175	200	225	250	275	300	25	10
Ohio	50	100	150	200	250	300	300	300			30	10
Oklahoma	50	85	120	155	190	225	260	300			40	15
Oregon	60	100	140	180	220	260	300				15	15
Pennsylvania	50	90	130	170	210	240	270	300			20	20
Puerto Rico	75	105	135	165	195	225	250	275	300		25	25
Rhode Island	50	90	125	150	175	200	225	250	275	300	25	10
South Carolina	55	75	115	145	175	190	210	240	270	300	15	10
South Dakota	50	110	135	155	185	220	255	300			25	10
Tennessee	50	75	100	120	150	180	210	240	270	300	15	10
Texas	50	85	120	150	175	200	225	250	275	300	20	15
Utah	75	100	130	155	180	210	240	270	300		25	15
Vermont	50	90	125	150	175	200	225	250	275	300	25	10
Virginia	50	70	90	120	150	180	210	240	270	300	20	10
Washington [2]	70	120	150	180	210	240	270	300			20	10
West Virginia	60	100	140	180	220	260	300				25	[3] 10
Wisconsin	50	90	130	170	210	240	270	300			25	15
Wyoming	50	85	120	150	185	225	265	300			30	15

[1] For mobile homes (whether or not occupant provides furniture):

Width (feet)		Allowance (Dollars)
More than	But not more than	
0	9.5	30
9.5	10.5	40 double trailers, 75
10.5		50

[2] For mobile homes (whether or not occupant provides furniture):

First room	Each additional room
$50	$25

[3] Where occupant does not provide furniture, allowance for 2 rooms is $40.

TABLE II—MOBILE HOMES

State	Miles		Area (Square feet)		Width (Feet)		Allowance (Dollars)
	More than	But not more than	More than	But not more than	More than	But not more than	
Alabama			0	200			100
			200	400			150
			400	600			200
			600	800			280
			800				300
Alaska	All trailers						300
Arkansas			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
California			0	300			130
			300	400			180
			400	500			210
			500	600			240
			600	700			270
			700				300
Colorado					0	8	150
					8	12	200
					12	16	250
					16		300
Connecticut					0	8.5	[1] 100
					8.5	10.5	[1] 150
					10.5	12.5	[1] 200
					12.5		[1] 250
Delaware			0	400			100
			400	600			150
			600	800			200
			800	1,000			250
			1,000				300
Florida			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
Georgia			0	400			75
			400	500			100
			500	600			150
			600	850			200
			850				300
Hawaii			0	300			130
			300	400			180
			400	500			210
			500	600			240
			600	700			270
			700				300
Idaho			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
Illinois	0	24			0	8.5	100
					8.5	10.5	150
					10.5	12.5	200
					12.5		250
	24	50			0	8.5	150
					8.5	10.5	200
					10.5	12.5	250
					12.5		300
Indiana					0	8.5	150
					8.5	10.5	185
					10.5	12.5	250
					12.5		300
Iowa	0	25			0	8	130
					8	10	150
					10	12	180
					12		230
	25	50			0	8	140
					8	10	170
					10	12	200
					12		300

TABLE II—MOBILE HOMES—Continued

State	Miles		Area (Square feet)		Width (Feet)		Allowance (Dollars)
	More than	But not more than	More than	But not more than	More than	But not more than	
Kansas			0	200			80
			200	400			160
			400	600			240
			600				300
Kentucky					0	8	[2] 205
					8	10	[2] 215
					10	12	[2] 225
					12		[2] 240
Louisiana					0	10	150
					10	12	175
					12	14	225
					14		275
Maine					0	8	[1] 150
					8	10	[1] 200
					10		[1] 250
Maryland			0	200			110
			200	400			140
			400	600			165
			600	800			195
			800	1,000			220
			1,000	1,200			250
			1,200				300
Massachusetts			0	200			80
			200	400			140
			400	600			200
			600				300
Minnesota	0	10			0	10	[2] 125
					10	12	[2] 135
					12	14	[2] 150
					14		[2] 175
	10	25			0	10	[2] 130
					10	12	[2] 140
					12	14	[2] 155
					14		[2] 185
	25	50			0	10	[2] 140
					10	12	[2] 150
					12	14	[2] 175
					14		[2] 200
Mississippi			0	300			100
			300	400			125
			400	500			150
			500	600			175
			600	700			200
			700				300
Missouri			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
Montana					0	10	[2] 80
					10	12	[2] 100
					12	14	[2] 125
					14		[2] 150
Nebraska			0	500			100
			500	660			150
			660	820			175
			820	1,000			200
			1,000				300
Nevada			0	300			130
			300	400			180
			400	500			210
			500	600			240
			600	700			270
			700				300
New Hampshire					0	8	[1] 135
					8	10	[1] 160
					10		[1] 210

See footnotes at end of table.

TABLE II—MOBILE HOMES—Continued

State	Miles		Area (Square feet)		Width (Feet)		Allowance (Dollars)
	More than	But not more than	More than	But not more than	More than	But not more than	
New Jersey			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
New Mexico	0	20			0	8.5	[2] 60
					8.5	10.5	[2] 70
					10.5	12.5	[2] 85
					12.5		[2] 100
	20	50			0	8.5	[2] 80
					8.5	10.5	[2] 95
					10.5	12.5	[2] 120
					12.5		[2] 140
New York			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
North Carolina					0	9.5	[2] 80
					9.5	10.5	[2] 100
					10.5		[2] 150
North Dakota			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
Ohio	0	10	0	320			130
			320	500			150
			500	840			170
			840	1,120			205
			1,120				250
	10	25	0	320			135
			320	500			155
			500	840			190
			840	1,120			220
			1,120				275
	25	50	0	320			145
			320	500			165
			500	840			200
			840	1,120			250
			1,120				300
Oklahoma					0	10	150
					10	12	175
					12	14	225
					14		275
Oregon			0	200			100
			200	600			200
			600				300
Pennsylvania			0	300			130
			300	500			225
			500	800			275
			800				300
Rhode Island					0	8	225
					8	10	250
					10	12	275
					12		300
South Carolina			0	500			100
			500	700			150
			700				200
South Dakota			0	350			155
			350	650			185
			650	850			225
			850	980			285
			980				300
Tennessee					0	10	[2] 100
					10		[2] 150

See footnotes at end of table.

TABLE II—MOBILE HOMES—Continued

State	Miles		Area (Square feet)		Width (Feet)		Allowance (Dollars)
	More than	But not more than	More than	But not more than	More than	But not more than	
Texas					0	8.5	100
					8.5	10.5	150
					10.5	12.5	200
					12.5	14.5	250
					14.5		300
Utah	0	10			0	8	[2] 140
					8	10	[2] 145
					10	12	[2] 165
					12		[2] 200
					0	8	[2] 145
					8	10	[2] 155
	10	25			10	12	[2] 175
					12		[2] 225
	25	50			0	8	[2] 150
					8	10	[2] 160
					10	12	[2] 190
					12		[2] 250
Vermont					0	8	155
					8	10	185
					10	12	215
					12		250
Virginia			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
Washington			0	200			100
			200	400			150
			400	600			200
			600	800			250
			800				300
West Virginia			0	300			100
			300	450			150
			450	550			225
			550				300
Wisconsin					0	8	150
					8	10	200
					10	12	250
					12		300
Wyoming					0	8.5	[2] 135
					8.5	10.5	[2] 165
					10.5	12.5	[2] 185
					12.5		[2] 220

[1] Plus $50 for expandable trailer.
[2] $300 for double trailer.

[FR Doc.71-14218 Filed 9-29-71;8:45 am]

RULES AND REGULATIONS

Presidential Documents

Title 3—The President

MEMORANDUM OF AUGUST 23, 1971

Government Patent Policy

Memorandum for Heads of Executive Departments and Agencies

THE WHITE HOUSE,
Washington, August 23, 1971.

On October 10, 1963, President Kennedy forwarded to the Heads of Executive Departments and Agencies a Memorandum and Statement of Government Patent Policy for their guidance in determining the disposition of rights to inventions made under Government-sponsored grants and contracts. On the basis of the knowledge and experience then available, this Statement first established Government-wide objectives and criteria, within existing legislative constraints, for the allocation of rights to inventions between the Government and its contractors.

It was recognized that actual experience under the Policy could indicate the need for revision or modification. Accordingly, a Patent Advisory Panel was established under the Federal Council for Science and Technology for the purpose of assisting the agencies in implementing the Policy, acquiring data on the agencies' operations under the Policy, and making recommendations regarding the utilization of Government-owned patents. In December 1965, the Federal Council established the Committee on Government Patent Policy to assess how this Policy was working in practice, and to acquire and analyze additional information that could contribute to the reaffirmation or modification of the Policy.

The efforts of both the Committee and the Panel have provided increased knowledge of the effects of Government patent policy on the public interest. More specifically, the studies and experience over the past 7 years have indicated that:

(a) A single presumption of ownership of patent rights to Government-sponsored inventions either in the Government or in its contractors is not a satisfactory basis for Government patent policy, and that a flexible, Government-wide policy best serves the public interest;

(b) The commercial utilization of Government-sponsored inventions, the participation of industry in Government research and development programs, and commercial competition can be influenced by the following factors: the mission of the contracting agency; the purpose and nature of the contract; the commercial applicability and market potential of the invention; the extent to which the invention is developed by the contracting agency; the promotional activities of the contracting agency; the commercial orientation of the contractor and the extent of his privately

financed research in the related technology; and the size, nature and research orientation of the pertinent industry;

(c) In general, the above factors are reflected in the basic principles of the 1963 Presidential Policy Statement.

Based on the results of the studies and experience gained under the 1963 Policy Statement certain improvements in the Policy have been recommended which would provide (1) agency heads with additional authority to permit contractors to obtain greater rights to inventions where necessary to achieve utilization or where equitable circumstances would justify such allocation of rights, (2) additional guidance to the agencies in promoting the utilization of Government-sponsored inventions, (3) clarification of the rights of States and municipal governments in inventions in which the Federal Government acquires a license, and (4) a more definitive data base for evaluating the administration and effectiveness of the Policy and the feasibility and desirability of further refinement or modification of the Policy.

I have approved the above recommendations and have attached a revised Statement of Government Patent Policy for your guidance. As with the 1963 Policy Statement, the Federal Council shall make a continuing effort to record, monitor and evaluate the effects of this Policy Statement. A Committee on Government Patent Policy, operating under the aegis of the Federal Council for Science and Technology, shall assist the Federal Council in these matters.

This memorandum and statement of policy shall be published in the FEDERAL REGISTER.

Richard Nixon

Statement of Government Patent Policy

Basic Considerations

A. The Government expends large sums for the conduct of research and development which results in a considerable number of inventions and discoveries.

B. The inventions in scientific and technological fields resulting from work performed under Government contracts constitute a valuable national resource.

C. The use and practice of these inventions and discoveries should stimulate inventors, meet the needs of the Government, recognize the equities of the contractor, and serve the public interest.

D. The public interest in a dynamic and efficient economy requires that efforts be made to encourage the expeditious development and civilian use of these inventions. Both the need for incentives to draw forth private initiatives to this end, and the need to promote healthy competition in industry must be weighed in the disposition of patent rights under Government contracts. Where exclusive rights are acquired by the contractor, he remains subject to the provisions of the antitrust laws.

E. The public interest is also served by sharing of benefits of Government-financed research and development with foreign countries to a degree consistent with our international programs and with the objectives of U.S. foreign policy.

F. There is growing importance attaching to the acquisition of foreign patent rights in furtherance of the interests of U.S. industry and the Government.

G. The prudent administration of Government research and development calls for a Government-wide policy on the disposition of inventions made under Government contracts reflecting common principles and objectives, to the extent consistent with the missions of the respective agencies. The policy must recognize the need for flexibility to accommodate special situations.

Policy

Section 1. The following basic policy is established for all Government agencies with respect to inventions or discoveries made in the course of or under any contract of any Government agency, subject to specific statutes governing the disposition of patent rights of certain Government agencies.

(a) Where

(1) a principal purpose of the contract is to create, develop or improve products, processes, or methods which are intended for commercial use (or which are otherwise intended to be made available for use) by the general public at home or abroad, or which will be required for such use by governmental regulations; or

(2) a principal purpose of the contract is for exploration into fields which directly concern the public health, public safety, or public welfare; or

(3) the contract is in a field of science or technology in which there has been little significant experience outside of work funded by the Government, or where the Government has been the principal developer of the field, and the acquisition of exclusive rights at the time of contracting might confer on the contractor a preferred or dominant position; or

(4) the services of the contractor are

(i) for the operation of a Government-owned research or production facility; or

(ii) for coordinating and directing the work of others,

the Government shall normally acquire or reserve the right to acquire the principal or exclusive rights throughout the world in and to any inventions made in the course of or under the contract.

In exceptional circumstances the contractor may acquire greater rights than a nonexclusive license at the time of contracting where the head of the department or agency certifies that such action will best serve the public interest. Greater rights may also be acquired by the contractor after the invention has been identified where the head of the department or agency determines that the acquisition of such greater rights is consistent with the intent of this Section 1(a) and is either a necessary incentive to call forth private risk capital and expense to bring the invention to the point of practical application or that the Government's contribution to the invention is small compared to that of the contractor. Where an identified invention made in the course of or under the contract is not a primary object of the contract, greater rights may also be acquired by the contractor under the criteria of Section 1(c).

(b) In other situations, where the purpose of the contract is to build upon existing knowledge or technology, to develop information, products, processes, or methods for use by the Government, and the work called for by the contract is in a field of technology in which the contractor has acquired technical competence (demonstrated by factors such as know-how, experience, and patent position) directly related to an area in which the contractor has an established nongovernmental commercial position, the contractor shall normally acquire the principal or exclusive rights throughout the world in and to any resulting inventions.

(c) Where the commercial interests of the contractor are not sufficiently established to be covered by the criteria specified in Section 1(b) above, the determination of rights shall be made by the agency after the invention has been identified, in a manner deemed most likely to serve the public interest as expressed in this policy statement, taking particularly into account the intentions of the contractor to bring the invention to the point of commercial application and the guidelines of Section 1(a) hereof, provided that the agency may prescribe by regulation special situations where the public interest in the availability of the inventions would best be served by permitting the contractor to acquire at the time of contracting greater rights than a nonexclusive license.

(d) In the situations specified in Sections 1(b) and 1(c), when two or more potential contractors are judged to have presented proposals of equivalent merit, willingness to grant the Government principal or exclusive rights in resulting inventions will be an additional factor in the evaluation of the proposals.

(e) Where the principal or exclusive rights in an invention remain in the contractor, he should agree to provide written reports at reasonable intervals, when requested by the Government, on the commercial use that is being made or is intended to be made of inventions made under Government contracts.

(f) Where the principal or exclusive rights in an invention remain in the contractor, unless the contractor, his licensee, or his assignee has taken effective steps within three years after a patent issues on the invention to bring the invention to the point of practical application or has made the invention available for licensing royalty-free or on terms that are reasonable in the circumstances, or can show cause why he should retain the principal or exclusive rights for a further period of time, the Government shall have the right to require the granting of a nonexclusive or exclusive license to a responsible applicant(s) on terms that are reasonable under the circumstances.

(g) Where the principal or exclusive rights to an invention are acquired by the contractor, the Government shall have the right to require the granting of a nonexclusive or exclusive license to a responsible applicant(s) on terms that are reasonable in the circumstances (i) to the extent that the invention is required for public use by governmental regulations, or (ii) as may be necessary to fulfill health or safety needs, or (iii) for other public purposes stipulated in the contract.

(h) Whenever the principal or exclusive rights in an invention remain in the contractor, the Government shall normally acquire, in addition to the rights set forth in Sections 1(e), 1(f), and 1(g),

(1) at least a nonexclusive, nontransferable, paid-up license to make, use, and sell the invention throughout the world by or on behalf of the Government of the United States (including any Government agency) and States and domestic municipal governments, unless the agency head determines that it would not be in the public interest to acquire the license for the States and domestic municipal governments; and

(2) the right to sublicense any foreign government pursuant to any existing or future treaty or agreement if the agency head determines it would be in the national interest to acquire this right; and

(3) the principal or exclusive rights to the invention in any country in which the contractor does not elect to secure a patent.

(i) Whenever the principal or exclusive rights in an invention are acquired by the Government, there may be reserved to the contractor a revocable or irrevocable nonexclusive royalty-free license for the practice of the invention throughout the world; an agency may reserve the right to revoke such license so that it might grant an exclusive license when it determines that some degree of exclusivity may be necessary to encourage further development and commercialization of the invention. Where the Government has a right to acquire the principal or exclusive rights to an invention and does not elect to secure a patent in a foreign country, the Government may permit the contractor to acquire such rights in any foreign country in which he elects to secure a patent, subject to the Government's rights set forth in Section 1(h).

SEC. 2. Under regulations prescribed by the Administrator of General Services, Government-owned patents shall be made available and the technological advances covered thereby brought into being in the shortest time possible through dedication or licensing, either exclusive or nonexclusive, and shall be listed in official Government publications or otherwise.

SEC. 3. The Federal Council for Science and Technology in consultation with the Department of Justice shall prepare at least annually a report concerning the effectiveness of this policy, including recommendations for revision or modification as necessary in light of the practices and determinations of the agencies in the disposition of patent rights under their contracts. The Federal Council for Science and Technology shall continue to

(a) develop by mutual consultation and coordination with the agencies common guidelines for the implementation of this policy, consistent with existing statutes, and to provide overall guidance as to disposition of inventions and patents in which the Government has any right or interest; and

(b) acquire data from the Government agencies on the disposition of patent rights to inventions resulting from federally financed research and development and on the use and practice of such inventions to serve as bases for policy review and development; and

(c) make recommendations for advancing the use and exploitation of Government-owned domestic and foreign patents.

Each agency shall record the basis for its actions with respect to inventions and appropriate contracts under this statement.

SEC. 4. Definitions: As used in this policy statement, the stated terms in singular and plural are defined as follows for the purposes hereof:

(a) *Government agency*—includes any executive department, independent commission, board, office, agency, administration, authority, Government corporation, or other Government establishment of the executive branch of the Government of the United States of America.

(b) *States*—means the States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam and the Trust Territory of the Pacific Islands.

(c) *Invention, or Invention or discovery*—includes any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the Patent Laws of the United States of America or any foreign country.

(d) *Contractor*—means any individual, partnership, public or private corporation, association, institution, or other entity which is a party to the contract.

(e) *Contract*—means any actual or proposed contract, agreement, grant, or other arrangement, or subcontract entered into with or for the benefit of the Government where a purpose of the contract is the conduct of experimental, developmental, or research work.

(f) *Made*—when used in relation to any invention or discovery means the conception or first actual reduction to practice of such invention in the course of or under the contract.

(g) *To the point of practical application*—means to manufacture in the case of a composition or product, to practice in the case of a process, or to operate in the case of a machine and under such conditions as to establish that the invention is being worked and that its benefits are reasonably accessible to the public.

[FR Doc.71-12623 Filed 8-25-71;10:41 am]

Appendix 9

AGY 02.10
12946

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410

THE UNDER SECRETARY

August 21, 1970

Honorable James M. Beggs
The Under Secretary of Transportation
Washington, D. C. 20590

Dear Jim:

I'm pleased to enclose the revised form of Agreement between DOT and HUD covering the administration of Sections 6(a), 9 and 11 of the Urban Mass Transportation Act. I have signed it on behalf of our Department. Needless to say, it's good to have this matter completed.

With warm regards.

Sincerely,

Richard C. Van Dusen

U.S. DEPT. OF TRANSPORTATION
1970 AUG 24 PM 4 29
OFFICE OF SECRETARY OF TRANSPORTATION EXECUTIVE SECRETARIAT

AGREEMENT BETWEEN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND THE DEPARTMENT OF TRANSPORTATION
ON THE ADMINISTRATION OF SECTIONS 6 (a), 9, and 11
OF THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED,
AND REORGANIZATION PLAN NUMBER 2 OF 1968

1. General. This agreement is between the Department of Housing and Urban Development (HUD) and the Department of Transportation (DOT). This agreement further establishes the procedures under which all requests for grants/contracts under Sections 6, 9, and 11 of the Urban Mass Transportation Act of 1964, as amended, will be administered by DOT to further the intention of the agreement reached between the Under Secretaries of both Departments on November 11, 1969.

2. Authority. Both HUD and DOT have authority under the Urban Mass Transportation Act of 1964, as amended, and Reorganization Plan Number 2 of 1968 to make grants to carry out the purposes of Sections 6, 9, and 11 of that Act governing research, development, demonstrations, technical studies and research and training programs. Such authority shall not be construed as modified by the provisions of this agreement.

3. Purpose. The purpose of this agreement is to further establish DOT as the Federal focal point for grants for Urban Mass Transportation by establishing procedures whereby DOT may assume the leadership in contract administration for future projects and to establish the necessary mechanisms by which HUD may choose to perform as technical project director for those projects for which it furnishes 50% or more of the funds and otherwise participate in those projects related to its area of prime interest.

4. Any grant requests or research proposals received by HUD will be promptly forwarded to DOT, and the applicant will be so advised.

5. DOT will refer all Section 6, 9, and 11 proposals to HUD for information and comment, and where DOT deems it appropriate, it will request participation by HUD with transferred funds. HUD may also volunteer such participation.

6. HUD will transfer to DOT on SF-1151, "Non-Expenditure Transfer Authorizations," its unobligated balance of funds appropriated for Sections 6, 9, and 11, to be used for carrying out projects as authorized by HUD. All obligations incurred with transferred funds will cite appropriation symbol 69-86X 0146.

7. Payments made by DOT involving transferred funds will be made in accordance with this agreement and any specific terms, conditions, or limitations otherwise prescribed by HUD, and agreed to by DOT.

8. HUD will not initiate projects under Section 11, and will not initiate projects under Sections 6 or 9 without first submitting the same to DOT for information and comment. Research, development and demonstration contracts or grants and technical study grants for those projects initiated by HUD will be administered by DOT, even though financed in whole or in part with HUD funds transferred in accordance with paragraphs 6 and 7 above.

9. For those projects on which HUD performs as technical project director:

   (a) HUD will review and recommend action to the UMTA on all grant or contract matters requiring government concurrence or approval prior to their implementation.

   (b) DOT will:

      (1) Determine the contract form (i.e. grant contract or procurement contract) for all projects to be undertaken. This will be done by UMTA.

      (2) Respond promptly to all HUD requests or referrals, and will take such actions and make such reviews and determinations as are necessary to assure proper grant or contract administration.

      (3) Furnish HUD (a) a copy of the executed grant agreement, and any amendments thereto; (b) information on any unusual contractual problems encountered; (c) a final report on the costs of each program or project, in sufficient detail to permit a reasonable review of the expenditures; and (d) such formal reports needed to meet BOB and Treasury requirements including, but not limited to, those listed on the attachment.

      (4) Notify the grantee/contractor to submit project requests directly to HUD with an information copy to DOT. Correspondence to the grantee/contractor may be originated by either Federal agency. However, correspondence which relates to contract or grant performance must be signed by DOT. Copies of all correspondence from DOT or HUD will be furnished to the other agency.

(5) In a joint funding situation, have the opportunity to concur in all program decisions involving significant changes in scope of work, project budget, project schedule, and adequacy of technical reports.

10. For those projects where HUD funds are involved for which DOT performs as the technical director and contract officer:

(a) HUD will:

(1) Have an opportunity to concur in all program decisions involving significant changes in scope of work, project budget, project schedule and adequacy of technical reports;

(2) Receive copies of all progress, financial and technical reports;

(3) Receive copies of all documents altering the scope, timing or financing of the project and any documents which review or comment on technical performance;

(4) Respond promptly to all requests or referrals, but if there is a failure to so respond, DOT may proceed unilaterally if the situation imposes a requirement.

(b) DOT will at appropriate times arrange joint reviews of project management and technical performance.

11. HUD will inform DOT in writing of each Section 6 or 9 project to be assisted with transferred funds; the amount approved for each; the costs and funding plan on which it premised its approval; and any specific terms, conditions and limitations not otherwise provided for in this agreement.

12. Public Affairs. Information releases to the news media will be issued by the agency funding the major portion of the activity with credit to the other, or in cases of 50/50 funding releases will be jointly issued. This provision is not inteded to prohibit separate, less formal forms of exchange of information with the news media or the public (i.e., interviews, talks), but the agency involved is responsible for giving credit to the other agency for its participation in the project.

13. Modification and Termination. This agreement may be modified by mutual agreement or terminated by either agency on 60 days' written notice to the other; otherwise it remains in effect until DOT has notified HUD that all activities and financial accounting under the projects transferred and authorized by HUD have been completed, and all funds transferred by HUD have been exhausted (except for any miscellaneous cash balance which will be returned to HUD for final Treasury accounting).

14. Effective Date. This agreement will become effective on the first day of the month following the month in which it is signed.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Name [signature]

Title: Under Secretary

DEPARTMENT OF TRANSPORTATION

Name: [signature]

Title: Under Secretary

ATTACHMENT

Reports Required Monthly:

1. S.F.-133 Reports on Budget Status -- Obligations Basis with an Analysis of Line 13c.

2. Copy of General Ledger Trial Balance.

3. Report on Cumulative Activity:

   (a) Disbursed Contracts

   (b) Undisbursed Contracts

   (c) Approved for Contracts (Project Usage)

4. Copy of S.F.-224 submitted to Treasury showing symbol

   69-86X 0146.

5. Copy of S.F.-225 submitted to Treasury.

6. Copy of BA-6727 submitted to Treasury.

Reports Required Annually:

1. BA-R 2108 Statement of Unexpended Balances of Appropriations and Funds. (This 1311 certification should include all approved projects on which the applicant has been notified of such approval.)

2. Report on Grant Disbursements for the Fiscal Year by States.

OUTLINE FOR TECHNICAL STUDIES GRANT APPLICATION

I. Identifying Data.--Data include the full and exact legal name of the applicant, agency, applicant's authorized representative (name, title, address, office phone), principal contact (name, title, address, office phone), and applicant's consultants, if any.

II. Legal Information.--An Opinion of Counsel is required, which includes the following:

a. The statutory authority, with citation, which created the applicant as a public body.

b. The statutory authority, with citation, which gives the applicant the legal capacity to apply for and receive a Federal grant.

c. The statutory authority, with citation, which allows the applicant to expend its own monies in connection with the proposed project.

d. Whether there is any threatening or pending litigation which might interfere with the proposed project.

e. A certified copy of the resolution or a similar official document authorizing the filing of the application and designating the applicant's official representative.

III. Status of Planning.--UMTA will determine whether the area is eligible under the program requirements or whether the area is ineligible.

In this section of the application, a brief description of the status of comprehensive and transportation planning, and transit planning and programming is required.

If a submission of material is necessary, UMTA will make that request of the areawide planning agency. The Urban Mass Transportation Planning Requirements Guide provides a detailed explanation of the planning requirements for UMTA Technical Studies.

The activity to be funded by this application should be described within the framework of the

planning underway in the area. Special attention should be paid to demonstrating how the proposed technical study will lead to the fulfillment of UMTA's regular program planning requirements, if this is the case.

IV. Area Planning Agency Review (A-95).--It is the policy of UMTA to require that all technical study applications be submitted for review and comment by both the State clearinghouse and the regional or metropolitan clearinghouse. These clearinghouses will inform all other appropriate agencies or local governments, examine the project from the comprehensive planning point of view, and arrange for any necessary follow-up conferences with the applicant and interested agencies or local governments.

When the applicant has prepared a preliminary application, he should notify the appropriate clearinghouses of his intention to apply for Federal assistance and transmit to them a brief description of the proposed project including:

* Identification of the applicant agency;

* Geographic location of the project to be assisted;

* Brief description of the proposed project by type, purpose, general size or scale, estimated cost, beneficiaries, or other characteristics which will enable the clearinghouse to identify agencies of State or local government having plans, programs, or projects that might be affected by the proposed project;

* Federal program and agency under which assistance will be sought;

* Estimated date upon which the applicant expects to file a final application.

Upon receipt of this notification, the State and regional clearinghouses have 30 days to notify their respective agencies and local governments of the proposed project. During the development of the final application, the clearinghouses and the applicant will attempt to resolve any problems that the application may cause. Then, in the 30-day period immediately preceding the date the applicant plans to file the final

application, the clearinghouses are to submit to the applicant their comments and those of affected agencies and local governments. Where regions or metropolitan areas are contiguous, each set of clearinghouses must be informed.

If the applicant is a special purpose district or authority, it must ensure that the regional or metropolitan clearinghouse solicits comments from each of the local general purpose governments where project elements affecting land use are located.

The final application must include copies of the comments received, or a statement that none have been received.

These procedures will fulfill the requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and the U. S. Bureau of the Office of Management and Budget Circular No. A-95.

V. Required Support Documents for Technical Studies.--Applications for long-range transportation studies must be submitted with a unified annual work program and a unified operations plan.

Applications for short-range planning or special studies must be submitted with a unified annual work program and unified operations plan, if a continuing transportation planning program exists and includes transit. In smaller metropolitan areas where transit is not included in the continuing planning process, this requirement does not apply.

These documents serve as a frame of reference to define the total annual transportation planning program, and define the continuing nature of the regional transportation planning program.

VI. Project Description and Scope.--This section contains a complete description and clearly defines the purpose, objectives, and anticipated results of the proposed project. The current transit situation is described for the operating system and on-going planning. Within this context, the objectives of the proposed study and the anticipated product are outlined. The project period must be stated.

For all studies, the background for developing this study and its relationship to other planning in the area will be set out as part of the section on the status of comprehensive and transportation planning. However, a specific detailed work program consistent with the unified annual work program must be prepared in this section. This statement must clearly identify and describe the UMTA components of the total program and assign specific agencies responsible for each component of the UMTA-funded project. Estimated costs should be developed for each work item (i.e., Phase, Task, etc.).

If these components are not explained in detail, a general outline may be submitted. When a detailed work program is developed, it should be submitted with a carefully prepared phase diagram or other appropriate method identifying elements or sequence of work.

For the continuing phase of the long-range transportation planning program, a separate approach may be taken. Specifically, if the first annual application for the continuing program is the direct result of the initial long-range transportation study (following year), the original grant may be amended to include the continuing work program. This annual work program should be based on a jointly-developed annual program and a plan which lays out the general continuing planning program. The specific amendment should outline in detail the scope of the work to be done within the year, contain a new budget, provide assurances for the local shares, provide an updated legal opinion, include a brief summary on what has been accomplished and provide assurances that all other components of the application are still valid. Annual amendments covering a specific year's activity will generally be allowed for four years. For the fifth year a complete new application will be filed. This application will generally coincide with the major update of the study (five years' update vs. annual surveillance).

If the first application for the continuing program is not the direct result of a long-range transit planning study, a formal grant application must be made. The work covered by the grant must be part of a jointly-developed annual program and an adopted operations plan. Subsequent annual applications should follow the procedures stated above; however, attempts should be made to coordinate the five-year application/amendment cycle with the updating procedures of the operations plan.

In preliminary engineering studies, there must be evidence that the project is consistent with the implementation program developed as part of the long-range planning process and is included within the short-range transit development program.

In the short-range transit planning and special studies, specific information should be provided on the past and current transit situation, the objectives of the study, and anticipated requests for future capital grant assistance.

VII. Funding

A. Availability of Local Share

The applicant must provide assurance that the local share is available in cash or in services and must certify that no portion of the local share represents Federal monies or assistance from any other federally-sponsored project or program. Model Cities Supplemental Funds may, however, be used as local matching share.

The application should indicate which agencies will be involved in the study, and the nature, extent, and method of their involvement. Those furnishing cash or services as part of the local share of the project cost should provide letters of commitment, specifying value of cash or in-kind contributions. This should be included in the application.

Services should be correlated with individual work items detailed in the work program.

B. Project Budget

Two budgets must be prepared. The official budget is in line-item form and should include a breakdown of consultant, internal staff and other agency participation in each line item. Information on the staff participation of each agency in the project is also requested. This should include salaries, overhead, materials, travel and out-of-pocket expenses. In addition, a second budget indicating estimated cost by work item should be presented.

C. Cost Criteria

Cost standards and criteria for determining eligible overhead costs are contained in OMB Circular No. A-87

(app. 4). Costs eligible under A-87 are not automatically allowable project costs, but must be included in the project budget.

The amount of the Federal grant may be up to two-thirds of the total project cost. The local share may consist of cash and/or services, and may be provided from transit system revenues.

D. Cash Disbursement Schedule

The applicant must provide the anticipated cash flow requirement for the Federal grant during the first Federal fiscal year of the project on a quarterly basis. The anticipated cash flow requirements for the future fiscal years may be indicated on a yearly basis.

VIII. Civil Rights Statement.--An executed copy of Assurance of Compliance with Title VI of the Civil Rights Act of 1964 must be included.

IX. Administrative Procedures.--This section describes what persons and agencies will be responsible for carrying out the study, and must indicate the ability of the project sponsor to carry out the study.

A. Project Manager

A project manager should be designated and the application include information on his technical and administrative ability to carry out the proposed study. This specific role in the project should be clearly defined. These would include day-to-day management of the project, monitoring of consultant activities, coordination of various consultants, coordination with other planning agencies, etc.

B. Internal Staff

In many projects, an internal staff will be available to work on all or part of the proposed study. The application should identify the participation of the internal staff and clearly indicate their ability to carry out their section of the proposed study.

C. Other Agencies

The ability of an area to carry out a successful program will depend in large part upon its ability to involve relevant public and private agencies in the planning and execution of the study. This involvement may come through cash contributions to the project cost or service contributions to the study itself.

At a minimum, all organizations that may be affected by the study outcome should have the opportunity to comment on the study proposal and recommendations. Especially relevant are letters of comment from transit companies to be affected by the study.

The section on status of comprehensive and transportation planning (item III) has described existing committee structure. This section should describe additional committees or revisions to existing committees necessary to provide the input discussed above, if appropriate.

D. Consultants

UMTA must review and concur in all consultant contracts (and subcontracts of more than $10,000) prior to execution and prior to costs being obligated against the contract.

If consultant selection occurs prior to project approval, it is advantageous to submit to UMTA the request for consultant contract concurrence so that this concurrence can closely follow approval of the project.

It is suggested that consultant selection be accomplished by a consultant evaluation panel which should develop selection criteria prior to soliciting, reviewing, or interviewing potential consultants. A minimum of three consultants must be considered before selection is made.

A list of all consultants considered, the titles of the evaluation panel, reference to the proposals received, criteria for evaluation of consultants, and the reasons for selecting the proposed consultant must be submitted to UMTA.

Consultant selection justification must also be submitted for sole-source contracts. Sole source refers to obtaining service from only one person or firm. Assurance must be provided that it is not feasible for any other firm or individual to perform the services. This assurance should include substantive reasons and should not be an unsupported declaration.

When the proposed consultant contract is submitted, it should contain a clear statement indicating the names of principal professionals and their projected percent of time on the project. This statement should clearly indicate that proper project management and technical support will be devoted to the project by the consultant.

A line-item work program must be prepared and submitted as part of the proposed contract. This work program must reflect the work items enumerated in the approved grant or application, or it should clearly explain the relationships between the technical study application and the contract. A line-item budget reflecting major work tasks must be prepared. This budget should relate directly to the line-item work program.

In general, consultant services under the technical study program should be made available through a cost-plus-fixed-fee contract. Further guidelines on contract type are in chapter III, section C, Third-Party Contract Administration.

Attachment

ASSURANCE OF COMPLIANCE UNDER CIVIL RIGHTS ACT

The attached Departmental Standard DOT Title VI Assurance is applicable to all UMTA programs under which grants are extended. As indicated, appendices A or C may be applicable dependent upon the type of project and the activities involved. The general assurance undertakes to alert the recipient to the occasion and necessity for including these additional clauses. For example, appendix C is to be consulted when the grant recipient undertakes "the subsequent transfer of real property acquired or improved under [Urban Mass Transportation Programs]."

Execution of the Assurance is required of all applicants for UMTA assistance, whether by loan or grant, as part of the application.

The Assurance obligates the Recipient to include in all of its contracts, including procurements of material and equipment, a further assurance binding contractors to the anti-discrimination provisions of Title VI and obligating them to further bind subcontractors.

It further obligates the Recipient to notify all bidders through solicitations that the Recipient will affirmatively insure full opportunity for minority businesses to bid on contracts, free from discrimination.

Recipients who seek to subsequently transfer or grant access to property acquired pursuant to an UMTA-assisted project, are required by the new Assurance to obligate the transferee or licensee to the anti-discrimination provisions of Title VI.

ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
(DEPARTMENT OF TRANSPORTATION)

The (Title of Recipient) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Urban Mass Transportation Administration (UMTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the (Project Number):

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with a project under the Urban Mass Transportation Act of 1964, as amended (the UMTA Act) and, in adapted form in all proposals for negotiated agreements:

> The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code

of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of appendix A of this Assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.

7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under section 10(a) of the Urban Mass Transportation Act of 1964, as amended, the Assurance shall obligate the Recipient to make selection of the trainee or fellow without regard to race, color, or national origin.

8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, the Assurance shall obligate the Recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color, or national origin.

9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.

10. That the Recipient shall include the appropriate clauses set forth in appendix C of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under (Project Number); and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under (Project Number).

11. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance.

13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts,

by the Department of Transportation under Federal Urban Mass Transportation Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Urban Mass Transportation Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

DATE_____

_____
(Recipient)

by _____
(Signature of Authorized Official)

Attachments

Appendices A, B, and C
Department of Transportation

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Urban Mass Transportation Administration (UMTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a contractor is in the exclusive possession of another who fails or refuses to

furnish this information, the contractor shall so certify to the Recipient, or the Urban Mass Transportation Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Urban Mass Transportation Administration may determine to be appropriate, including, but not limited to:

(a) Withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) Cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Urban Mass Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon, in accordance with the Urban Mass Transportation Act of 1964, as amended, the Regulations for the Administration of Federal Urban Mass Transportation Programs and the policies and procedures prescribed by the Urban Mass Transportation Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Name of Recipient) all the right, title, and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HEBENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Name of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the (Name of Recipient), its successors and assigns.

The (Name of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby

covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such land hereby conveyed (,) (and)* (2) that the (Name of Recipient) shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964; and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by (Name of Recipient) pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases, add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permitee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regu- Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

Appendix 11

Urban Mass Transportation Planning Requirements Guide

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Washington, D.C. 20410

URBAN MASS TRANSPORTATION PROGRAM

PLANNING REQUIREMENTS GUIDE

The Urban Mass Transportation Act of 1964 is designed "to encourage the planning and establishment of areawide urban mass transportation systems needed for economical and desirable urban development, with the cooperation of mass transportation companies both public and private."

Under the Regular Program (two-thirds Federal grants), the Department of Housing and Urban Development (HUD) may provide assistance for transit facilities and equipment necessary to carry out a program for a unified or officially coordinated mass transportation system, as part of the comprehensively planned development of the urban area.

The Act also provides for an interim Emergency Program, under which 50% grants may be made until July 1, 1972 to meet urgent situations where the planning requirements for a regular grant cannot be fully satisfied. If the Regular Program planning requirements are met within three years after the date of an emergency 50% grant contract, an additional grant may be made to bring the Federal share up to two-thirds of the net project cost.

A loan may be made for a project where planning and other requirements are met under either the regular or emergency provisions of the Act, and where no grant is required.

To establish eligibility for assistance, it must be demonstrated that the project is or will be part of a short-range, areawide transit development program which, in turn, is adequately related to long-range, areawide planning. This requires effective planning and programming links between an individual transit project, an areawide system of transit facilities, the total transportation system, and the overall development of the urban area. As outlined in this guide, the key elements in developing these relationships are that:

1. the project is part of a short-range, areawide transit development program;

2. the transit development program is based on long-range, areawide transportation planning which covers both transit and highways;

3. transportation planning is part of long-range, areawide comprehensive planning; and

4. comprehensive planning is conceived and carried out to attain urban area goals and objectives under the policy direction of local elected officials.

The guide places special emphasis on relating the planning process to community goals and objectives, and it views policy formulation for areawide planning and development as a basic responsibility of local elected officials. This is to help assure that urban development in general, and transportation facilities in particular, are so planned as to reflect the needs and desires of the people.

Participation in the planning process by those responsible for program administration is considered essential in effectively translating plans into action. Thus, the guide calls for the involvement in transportation planning not only of local and State governments, but also of public and private transportation agencies concerned with the optimum development and performance of all parts of the urban transportation system.

The guide stresses the areawide approach to the solution of urban transportation problems. Comprehensive planning, transportation planning and the transit development program must all cover the entire urban area. In metropolitan areas, the total urbanized and urbanizing area must be covered. In smaller towns, this means the entire community area that is now developed and that will be developed over the next decades.

The areawide transit development program must be for a "unified or officially coordinated" mass transportation system. Whether a system is to be considered "unified" or "officially coordinated" depends on the number of agencies responsible for the provision of mass transportation facilities and services in the area. The short-range transit development program is for a "unified" system if a single agency has the responsibility for the provision of facilities and services in accordance with the program. The program is for an "officially coordinated" system if two or more agencies share responsibility for the provision of

facilities and services in the area; and, by action of public agencies, arrangements are in effect to assure that the system will be planned, programmed, developed and operated in such a manner as to meet the needs of the entire area in accordance with the program, i.e., as if it were a single, unified system.

It is recognized that differences in the character of urban areas and in conditions affecting the planning, development, improvement and operation of mass transportation systems will result in different approaches to meeting these requirements. In smaller urban communities outside of metropolitan areas, the requirements may be met through use of less detailed procedures and establishment of simpler organizational arrangements than would be needed elsewhere.

(For further guidance on the type of transportation planning process which would meet policy and technical criteria briefly outlined in this guide, reference should be made to "Guidelines for Five Critical Points in Transportation Planning," issued by HUD as an attachment to Planning Agency Letter No. 44, December 29, 1964. Copies of the "Guidelines" can be obtained from HUD Regional Offices or from the Department of Housing and Urban Development, Washington, D.C. 20410.)

* * *

The planning requirements are designed to assure maximum consistency with criteria governing comprehensive planning carried on under HUD's Section 701 Urban Planning Assistance Program, the planning requirements of HUD's Open Space Land and Water and Sewer Facilities Programs, the transportation planning requirements of the 1962 Federal-Aid Highway Act, and related planning requirements and criteria of other Federal-aid programs. Consistency of planning requirements and criteria will assist in the coordination of federally aided activities and other development in the area. At the same time, it should help localities meet planning requirements under the various Federal programs providing different types of urban development assistance.

Most of the planning activities called for in this guide can be assisted under HUD's Section 701 planning assistance program; both preliminary and final plan preparation work for specific mass transportation projects may be aided by interest-free advances under HUD's Section 702 Public Works Planning Program.

* * *

Throughout this document, the terms "mass transportation" and "transit" are used interchangeably. They mean transportation by bus or rail or other conveyance, either publicly or privately owned, serving the general public and moving over prescribed routes (but not including school buses or charter, sightseeing or similar service).

The planning requirements presented in this guide are in addition to other Urban Mass Transportation Program requirements (e.g., engineering and financial) established by HUD. Part I of this guide covers planning requirements for the Regular Program; Part II presents planning requirements for the Emergency Program, effective until July 1, 1972.

Part I. Regular Program—Planning Requirements

To establish eligibility for grants covering two-thirds of net project cost or for loans, the following basic planning determinations will be made:

1. That there exists adequate long-range comprehensive planning for the urban area to provide a basis for transportation planning and for a transit development program.

2. That there exists, consistent and coordinated with comprehensive planning, long-range transportation planning for the urban area adequately setting forth the basic framework of the mass transportation system and the highway network.

3. That there exists, consistent with comprehensive and transportation planning, an adequate short-range program for the development of a unified or officially coordinated mass transportation system for the urban area.

4. That the facilities or equipment to be assisted are needed for carrying out the short-range program.

A. Comprehensive Planning

1. **Planning Process.** There shall be adequate long-range comprehensive planning for the urban area.

   Comprehensive areawide planning is a systematic and continuing process designed to help solve current problems and provide for future needs. It includes the identification and continuous refine-

ment of objectives and criteria; collection and analysis of pertinent data; consideration of alternative courses of action; policy decisions on selected courses of action; coordination of local plans and of programs and activities affecting the development of the area; formulation, maintenance and updating of a comprehensive development plan; and improvement programming and other measures to implement the plan. Comprehensive planning covers land use, transportation, water and sewers, open space and recreation, housing, health and education facilities, community development and renewal, and other aspects of physical, economic and social development of significance to the particular urban area.

All phases of comprehensive planning need not be underway at the same time. However, the requirements set forth in the following paragraphs will apply.

2. **Status of Planning.** Comprehensive planning shall have progressed to the point of having, at a minimum, prepared a land use element of a comprehensive development plan, consistent with goals and objectives for the urban area, which sets forth the quantitative distribution of population and economic activities needed for transportation planning. This distribution will provide the basis for determining the level and pattern of travel demand. To do this effectively, the land use element will need to reflect generalized schemes for associated transportation systems and community facilities and services.

3. **Urban Area Coverage.** Comprehensive planning shall cover the urban area, including the area likely to become urban during the long-range planning period.

The term "urban area" means any area that includes a municipality or other built-up place which is appropriate for a mass transportation system to serve commuters and others in the locality. The urban area includes the surrounding areas which form an economic and socially related region, taking into consideration such factors as present and future (min. 20 years) population trends and patterns of urban growth, location of transportation and other facilities, and distribution of industrial, commercial, residential, governmental and other activities.

In metropolitan areas, the urban area will generally conform to the Standard Metropolitan Statistical Area (SMSA) as established by the U.S. Bureau of the Budget. However, account is also to be taken of the location and extent of Urbanized Areas as defined by the U.S. Bureau of the Census. (See **U.S. Census of Population: 1960,** Report Series PC(1)–1A-57A.)

In the case of metropolitan areas, the minimum urban area is defined as follows:

a. The urban area includes those local jurisdictions of general government (e.g., counties in whole or part, cities, towns, townships) within the SMSA that contain Urbanized Areas.

b. If contiguous Urbanized Areas, or a single Urbanized Area, lie within two or more SMSA's and the area is generally recognized as a single urban complex, the urban area includes those jurisdictions which contain such Urbanized Areas.

c. If portions of an Urbanized Area lie outside the boundaries of any SMSA, the urban area includes those jurisdictions outside the SMSA that contain such portions of the Urbanized Area.

d. In addition to covering local jurisdictions having Urbanized Areas as described above, the urban area includes those additional areas within the SMSA, or which adjoin the included Urbanized Areas, likely to become urban during the long-range (min. 20 years) planning period.

In cases where it is determined that the transit facilities and equipment proposed to be assisted are of primarily local significance, the urban area to be covered by adequate comprehensive and transportation planning and an adequate transit development program may be defined accordingly; provided that local planning and programming are adequately coordinated with areawide planning and programming which must be actively underway.

4. **Planning Agency.** Comprehensive planning shall be the responsibility of an agency or instrumentality that, under state or local law, or interstate or other agreement, has been:

a. officially established or designated to carry on comprehensive planning on a continuing basis; and

b. provided with regular sources of state and/or local financial support.

In metropolitan areas, comprehensive planning will normally be the responsibility of a metropolitan or regional planning agency. However, an agency undertaking comprehensive planning for an urban area may be another body such as an areawide organization of local public officials (sometimes called a "council of governments"), a county or city-county planning agency, a central city planning agency whose authority for planning extends beyond the city limits to include the entire urban area, or a state or interstate planning agency.

5. **Representation.** In metropolitan and other multi-jurisdictional urban areas, local units of general government covered by the planning shall be represented on the planning body. To provide appropriate policy direction, such representation shall, to the extent practicable, be through elected officials or their representatives. Smaller jurisdictions may be represented by counties or by a designated representative or representatives for several smaller jurisdictions, including municipalities, towns, townships, and villages. Where representation of all such jurisdictions is legally or otherwise not possible, this requirement may be modified.

   Provision should also be made for participation in the planning process by public functional agencies, including special districts or authorities, having major operating responsibilities in the urban area, and state and local planning agencies. Major private interests affecting the development of the urban area should be represented on technical or special advisory committees or in other appropriate ways.

B. **Transportation Planning**

1. **Planning Process.** There shall be, consistent and coordinated with comprehensive planning, adequate long-range transportation planning for the urban area.

   Transportation planning is concerned with all the facilities used for the movement of persons and goods and, within the framework of comprehensive planning, is based on the collection and analysis of pertinent data, the identification and refinement of transportation goals and criteria, and the planning of urban transportation systems needed to meet them. It includes the preparation, evaluation and selection of long-range and short-range plans for transit and highways, and the periodic review and modification of the plans to meet changing conditions.

   Comprehensive planning establishes the basis for determining the future level and pattern of demand for the movement of persons and goods. This basis is provided primarily through the preliminary land use element of the comprehensive development plan (or plans if alternatives are prepared). The preliminary land use element should take into account generalized schemes for associated transportation systems and community facilities and services. Quantitative distributions should be made of population, employment and other measures of urban activity needed for forecasts of travel demand by mode. These distributions should be based on the planned land uses and associated transportation systems and community facilities and services. Special emphasis should be placed on accounting for the effects that proposed transportation systems will have on the location and intensity of urban activities.

   The forecasts of travel demand by mode should take into account the distribution of urban activities, characteristics of persons making trips, and relative levels of service and cost offered by transit and private auto travel for different purposes. Some of the considerations here are the effects of fare levels, parking and other auto costs, travel time, comfort and congestion.

   Given the planning objectives and the demand for transportation movement in quantitative terms, alternative transportation systems representing different spatial configurations and proportions of use of various modes of transportation are proposed for testing. The proposed transportation systems should be tested and evaluated not only in terms of how well they meet the demand, but also in terms of how well they serve planning objectives and public policies.

2. **Status of Planning.** Transportation planning shall have progressed to the point necessary for setting forth, in accordance with public policies for transportation and with estimates of travel demand derived from comprehensive planning:

a. the general location and extent of the mass transportation system and the highway network; and

b. estimates of transit patronage on major links in the mass transportation system.

3. **Urban Area Coverage.** Transportation planning shall cover the urban area, as specified above for comprehensive planning.

4. **Responsibility for Transportation Planning.** Transportation planning should, wherever possible, be the responsibility of the agency carrying on comprehensive planning for the urban area. Where, for special reasons, other organizational arrangements must be made, there shall be adequate provision for unified policy direction and appropriate technical coordination of comprehensive and transportation planning for the urban area; in such cases, all local jurisdictions represented on the comprehensive planning body should also be represented in the transportation planning process.

5. **Participation of Transportation Agencies and Companies.** There shall be appropriate provision for participation in the transportation planning process by:

a. State and local governmental agencies concerned with transportation in the urban area, such as mass transportation agencies, state and local highway agencies, regulatory bodies, local traffic engineering agencies, and airport, waterport and parking authorities.

b. Private mass transportation companies operating in the urban area. Representatives of such companies may participate as members of technical or special advisory committees or in other appropriate ways.

C. **Transit Programming and Coordination**

1. **Transit Development Program.** There shall be, consistent with comprehensive and transportation planning, an adequate short-range program for the development of a unified or officially coordinated mass transportation system for the urban area.

A transit development program consists of two basic parts:

a. **A program for the unified or coordinated operation of the mass transportation system** for the urban area, including but not limited to scheduling, routing, fare structures, and levels of service to the public. The program should indicate the way in which available transit facilities, and those to be provided under the transit improvement program, will be coordinated so as to provide maximum practicable service to the urban area.

b. **A transit improvement program** for the urban area covering a 5-10 year development period. The transit improvement program should indicate the needed improvements in the mass transportation system for a 5-10 year development period; include a schedule of priorities, estimates of costs and recommended or anticipated means of financing; and describe the allocation of responsibilities for carrying out the program.

2. **Maintenance of Transit Development Program.** There shall be established suitable arrangements or procedures for continuing relationships among those public agencies and private companies principally concerned with the planning, improvement and operation of the mass transportation system for the urban area.

The arrangements or procedures should be designed to provide a regular and continuing basis for coordination, as may be necessary to the transit development program, of the relevant activities of:

a. Public agencies and private companies responsible for operating transit services and constructing transit facilities in the urban area.

b. The planning agency or agencies responsible for comprehensive and transportation planning for the urban area.

c. Local, regional and state transit regulatory bodies whose approval may be needed in the implementation of the transit development program.

d. Public bodies who make application for assistance under the Urban Mass Transportation Program.

e. State and local agencies responsible for the improvement of streets, highways and related facilities shared by private and transit vehicles in the urban area.

f. Other public bodies that may be concerned with transportation in the urban area, such as airport, waterport and parking authorities, and traffic engineering agencies.

Suitable arrangements or procedures for the continuing relationships and the coordination of activities necessary to the transit development program may be established by such means as formal agreements, letters or memoranda of understanding, or (particularly where several parties with major responsibilities are involved) through the organization of a "transit coordinating committee" or similar body. Such continuing coordination is essential for good transit planning, programming and operations and will simplify obtaining the reviews required for Federal assistance.

D. **Project Review**

1. **Planning Review.** Prior to submission of a final application for a capital grant or loan, the applicant shall have the proposed project reviewed and commented on by the agency or agencies responsible for the planning and programming described in this guide. If the agency or agencies do not review and comment on the proposal within 30 days, the applicant may proceed with the submission of the application for assistance without such review and comment. Additional reviews, as appropriate, at the local, regional or state level may be required by HUD.

2. **Other Notifications.** In addition, the applicant should notify other appropriate governmental agencies of its proposed application, and request their comments on the proposal, particularly as it relates to the plans and programs of these agencies. Such agencies may be state, regional, metropolitan, county, municipal or other governmental agencies concerned with comprehensive planning, transportation planning, the transit development program, or other phases of the total transportation system for the urban area.

Part II. **Emergency Program—Planning Requirements**

Under the Emergency provisions of the Urban Mass Transportation Act, grants covering one-half (instead of two-thirds) of net project cost, or loans, may be made until July 1, 1972 where the Regular Program planning requirements set forth in Part I of the guide are not fully met, and there is an urgent need for the preservation or provision of the facilities or equipment proposed to be assisted.

To establish eligibility in such cases for emergency grants or loans, the following planning requirements shall apply:

A. **Comprehensive Planning**

Comprehensive planning (as described under the Regular Program requirements, Part I of this guide) shall be underway. A planning agency shall have been established. While no fully prepared plan elements are required, there shall exist a schedule of planning activities that demonstrates that the Regular Program planning requirements will be met within a reasonable period.

B. **Transportation Planning**

Transportation planning (as described under the Regular Program requirements) shall be underway, and there shall exist a schedule of transportation planning activities that demonstrates that the Regular Program planning requirements will be met within a reasonable period.

C. **Transit Programming and Coordination**

1. The transit development program (as described under the Regular Program requirements) shall be under active preparation, and there shall exist a schedule of activities that demonstrates that the program will be completed within a reasonable period.

2. A sufficient basis shall exist for determining that the proposed project can reasonably be expected to be part of the program.

3. There shall be initiated suitable arrangements or procedures for continuing relationships and the coordination of activities (as described under the Regular Program requirements) necessary to the transit development program.

D. **Project Review**

The requirements for "project review" under the Regular Program are applicable under the Emergency Program.

* * *

If, within three years after the date of an emergency grant contract, preparation of the transit development program is completed, and comprehensive and transportation planning meet requirements under the Regular Program, an additional grant may be made to bring the Federal share up to two-thirds of the net project cost.

SUPPLEMENT

Technical Studies Program–Planning Requirements

Section 9 of the Urban Mass Transportation Act of 1964, as amended in 1966, authorizes grants for ". . . the planning, engineering, and designing of urban mass transportation projects, and for other technical studies . . ." Grants for technical studies under this program may not exceed two-thirds of the cost of carrying out the activities for which the grant is made.

To establish eligibility for technical studies grants, the following planning requirements shall apply.

A. Planning Agency

There must be an officially established or designated areawide agency or institutional arrangement which is staffed and funded so as to be capable of carrying on areawide planning.

B. Comprehensive Planning

1. For technical study projects which deal primarily with as yet nonexistent major segments of a proposed transit system, e.g., final route location, preliminary engineering, etc., comprehensive planning (as described under the Regular Program requirements, Part I of this guide) shall have progressed to the point where population, economic, and land use forecasts form the basis for the general location of major transportation facilities, both highway and mass transit.

2. For technical study projects which deal primarily with existing segments, or minor extensions thereto, of an existing or proposed transit system, e.g., improved scheduling, feasibility of minor extensions, etc., comprehensive planning shall be underway. The planning agency, as defined in A above, shall have adopted an acceptable work program, or schedule of planning activities, which demonstrates that the Regular Program planning requirements will be met within a reasonable period.

C. Transportation Planning

1. For technical study projects which deal primarily with as yet nonexistent major segments of a proposed transit system, transportation planning (as described under the Regular Program requirements) shall have progressed to the point where the general location of existing and proposed major transportation facilities, both highway and mass transit, have been identified as a part of the comprehensively planned development of the urban area. These general locations shall have been endorsed and/or adopted by the areawide planning agency.

2. For technical study projects which deal primarily with existing segments, or minor extensions thereto, of an existing or proposed mass transit system, transportation planning shall be underway and there shall exist a schedule of transportation planning activities which demonstrates that the Regular Program planning requirements will be met within a reasonable period. It shall be further demonstrated that the results of the technical study project will be taken into consideration in the continuing transportation planning program.

D. Transit Programming

A transit development program (as described under the Regular Program planning requirements) shall be either in existence, under active preparation, or a part of the Planning Agency's schedule of activities which demonstrates completion within a reasonable period. If a development program has not been completed, it should be demonstrated that the technical study project will assist in the preparation of such a program.

E. Project Review

The requirements for "project review" under the Regular Program are applicable under the Technical Studies Program.

Regional and Area Offices of the Department of Housing and Urban Development

Region I John F. Kennedy Federal Building Boston, Mass. 02203 Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont	**Area Offices:** Manchester, N.H.; Boston, Mass.; Hartford, Conn.
Region II 26 Federal Plaza New York, N.Y. 10007 New Jersey, New York, Puerto Rico, Virgin Islands	**Area Offices:** New York, N.Y.; Newark, N.J.; Camden, N.J.; Buffalo, N.Y.; San Juan, P.R.
Region III Curtis Building 6th and Walnut Streets Philadelphia, Pa. 19106 Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia	**Area Office:** Pittsburgh, Pa.
Region IV Peachtree-Seventh Building Atlanta, Ga. 30323 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee	**Area Office:** Birmingham, Ala.
Region V 360 North Michigan Avenue Chicago, Ill. 60601 Illinois, Indiana, Minnesota, Michigan, Ohio, Wisconsin	**Area Office:** Detroit, Mich.
Region VI Federal Office Building 819 Taylor Street Fort Worth, Tex. 76102 Arkansas, Louisiana, New Mexico, Oklahoma, Texas	**Area Offices:** Dallas, Tex.; Oklahoma City, Okla.; San Antonio, Tex.; New Orleans, La.; Little Rock, Ark.
Region VII Federal Office Building 911 Walnut Street Kansas City, Mo. 64106 Iowa, Kansas, Missouri, Nebraska	**Area Offices:** Kansas City, Kans.; St. Louis, Mo.; Omaha, Nebr.
Region VIII Samsonite Building 1050 South Broadway Denver, Colo. 80209 Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming	**No Area Offices**
Region IX 450 Golden Gate Avenue San Francisco, Calif. 94102 Arizona, California, Hawaii, Nevada, Guam	**Area Offices:** San Francisco, Calif.; Los Angeles, Calif.
Region X Arcade Plaza Building Seattle, Wash. 98101 Alaska, Idaho, Oregon, Washington	**Area Offices:** Seattle, Wash.; Portland, Oreg.

HUD-Wash., D. C.

E.O. 11246 on Nondiscrimination Under Federal Contracts

Text of Executive Order 11246, signed by President Johnson September 24, 1965, as amended by Executive Order 11375, signed October 13, 1967. Amended Part I, effective November 12, 1967, was superseded by Executive Order 11478 (See 401:87). Part II was amended to add sex as prohibited basis of discrimination, effective October 13, 1968.

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART I—Nondiscrimination in Government Employment

ED. NOTE: Secs. 101-105, barring discrimination in federal employment on account of race, color, religion, sex, or national origin, were superseded by Executive Order 11478. These provisions called for affirmative-action programs for equal opportunity at the agency level under general supervision of the Civil Service Commission; establishment of complaint procedures at each agency with appeal to the Commission; and promulgation of regulations by CSC. (See 401:87.)

PART II—Nondiscrimination in Employment by Government Contractors and Subcontractors

SUBPART A—DUTIES OF THE SECRETARY OF LABOR

Sec. 201. The Secretary of Labor shall be responsible for the administration of Parts II and III of this Order and shall adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof.

SUBPART B—CONTRACTORS' AGREEMENTS

Sec. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

"During the performance of this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following; employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secre-

tary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contacting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

"(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided*, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

Sec. 203. (a) Each contractor having a contract containing the provisions prescribed in Section 202 shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency or the Secretary of Labor as may be directed. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Secretary of Labor may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous con-

tract subject to the provisions of this Order, or any preceding similar Executive order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(c) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the Secretary of Labor may prescribe: *Provided,* That to the extent such information is within the exclusive possession of a labor union or an agency referring workers of providing or supervising apprenticeship or training and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, religion, sex, or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this Order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the Order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require.

Sec. 204. The Secretary of Labor may, when he deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order. The Secretary of Labor may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier. The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor which are in all respects separate and distinct from activities of the contractor related to the performance of the contract: *Provided,* That such an exemption will not interfere with or impede the effectuation of the purposes of this Order: *And provided further,* That in the absence of such an exemption all facilities shall be covered by the provisions of this Order.

SUBPART C—POWERS AND DUTIES OF THE SECRETARY OF LABOR AND THE CONTRACTING AGENCIES

Sec. 205. Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Secretary of Labor with respect to contracts entered into by such agency or its contractors. All contracting agencies shall comply with the rules of

the Secretary of Labor in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Order and of the rules, regulations, and orders of the Secretary of Labor issued pursuant to this Order. They are directed to cooperate with the Secretary of Labor and to furnish the Secretary of Labor such information and assistance as he may require in the performance of his functions under this Order. They are further directed to appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this Order by conference, conciliation, mediation, or persuasion.

Sec. 206. (a) The Secretary of Labor may investigate the employment practices of any Government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency, to determine whether or not the contractual provisions specified in Section 202 of this Order have been violated. Such investigation shall be conducted in accordance with the procedures established by the Secretary of Labor and the investigating agency shall report to the Secretary of Labor any action taken or recommended.

(b) The Secretary of Labor may receive and investigate or cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 202 of this Order. If this investigation is conducted for the Secretary of Labor by a contracting agency, that agency shall report to the Secretary what action has been taken or is recommended with regard to such complaints.

Sec. 207. The Secretary of Labor shall use his best efforts, directly and through contracting agencies, other interested Federal, State, and local agencies, contractors, and all other available instrumentalities to cause any labor union engaged in work under Government contracts or any agency referring workers or providing or supervising apprenticeship or training for or in the course of such work to cooperate in the implementation of the purposes of this Order. The Secretary of Labor shall, in appropriate cases, notify the Equal Employment Opportunity Commission, the Department of Justice, or other appropriate Federal agencies whenever it has reason to believe that the practices of any such labor organization or agency violate Title VI or Title VII of the Civil Rights Act of 1964 or other provision of Federal law.

Sec. 208. (a) The Secretary of Labor, or any agency, officer, or employee in the executive branch of the Government designated by rule, regulation, or order of the Secretary, may hold such hearings, public or private, as the Secretary may deem advisable for compliance, enforcement, or educational purposes.

(b) The Secretary of Labor may hold, or cause to be held, hearings in accordance with Subsection (a) of this Section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this Order. No order for debarment of any contractor from further Government contracts under Section 209(a)(6) shall be made without affording the contractor an opportunity for a hearing.

SUBPART D — SANCTIONS AND PENALTIES

Sec. 209. (a) In accordance with such rules, regulations, or orders as the Secretary of Labor may issue or adopt, the Secretary or the appropriate contracting agency may:

(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have complied or have failed to comply with the provisions of this Order or of the rules, regulations, and orders of the Secretary of Labor.

(2) Recommend to the Department of Justice that, in cases in which there is substantial or material violation or the threat of substantial or material violation of the contractual provisions set forth in Section 202 of this Order, appropriate

proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent directly or indirectly, or seek to prevent directly or indirectly, compliance with the provisions of this Order.

(3) Recommend to the Equal Employment Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964.

(4) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Secretary of Labor as the case may be.

(5) Cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be cancelled, terminated, or suspended absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(6) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Secretary of Labor that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Order.

(b) Under rules and regulations prescribed by the Secretary of Labor, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under Subsection (a) (2) of this Section, or before a contract shall be cancelled or terminated in whole or in part under Subsection (a) (5) of this Section for failure of a contractor or subcontractor to comply with the contract provisions of this Order.

Sec. 210. Any contracting agency taking any action authorized by this Subpart, whether on its own motion, or as directed by the Secretary of Labor, or under the rules and regulations of the Secretary, shall promptly notify the Secretary of such action. Whenever the Secretary of Labor makes a determination under this Section, he shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Secretary of Labor within such time as the Secretary shall specify.

Sec. 211. If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

Sec. 212. Whenever a contracting agency cancels or terminates a contract, or whenever a contractor has been debarred from further Government contracts, under Section 209 (a) (6) because of noncompliance with the contract provisions with regard to nondiscrimination, the Secretary of Labor or the contracting agency involved, shall promptly notify the Comptroller General of the United States. Any such debarment may be rescinded by the Secretary of Labor or by the contracting agency which imposed the sanction.

SUBPART E — CERTIFICATES OF MERIT

Sec. 213. The Secretary of Labor may provide for issuance of a United States Government Certificate of Merit to employers or labor unions, or other agencies which are or may hereafter be engaged in work under Government contracts, if the Secretary is satisfied that the personnel and employment practices of the employer, or that the personnel train-

ing, apprenticeship, membership, grievance and representation, upgrading, and other practices and policies of the labor union or other agency conform to the purposes and provisions of this Order.

Sec. 214. Any Certificate of Merit may at any time be suspended or revoked by the Secretary of Labor if the holder thereof, in the judgment of the Secretary, has failed to comply with the provisions of this Order.

Sec. 215. The Secretary of Labor may provide for the exemption of any employer, labor union, or other agency from any reporting requirements imposed under or pursuant to this Order if such employer, labor union, or other agency has been awarded a Certificate of Merit which has not been suspended or revoked.

PART III — Nondiscrimination Provisions in Federally Assisted Construction Contracts

Sec. 301. Each executive department and agency which administers a program involving Federal financial assistance shall require as a condition for the approval of any grant, contract, loan, insurance, or guarantee thereunder, which may involve a construction contract, that the applicant for Federal assistance undertake and agree to incorporate, or cause to be incorporated, into all construction contracts paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to such grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the provisions prescribed for Government contracts by Section 203 of this Order or such modification thereof, preserving in substance the contractor's obligations thereunder, as may be approved by the Secretary of Labor, together with such additional provisions as the Secretary deems appropriate to establish and protect the interest of the United States in the enforcement of those obligations. Each such applicant shall also undertake and agree (1) to assist and cooperate actively with the administering department or agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with those contract provisions and with the rules, regulations, and relevant orders of the Secretary, (2) to obtain and to furnish to the administering department or agency and to the Secretary of Labor such information as they may require for the supervision of such compliance, (3) to carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the Secretary of Labor or the administering department or agency pursuant to Part II, Subpart D, of this Order, and (4) to refrain from entering into any contract subject to this Order, or extension or other modification of such a contract with a contractor debarred from Government contracts under Part II, Subpart D, of this Order.

Sec. 302. (a) "Construction contract" as used in this Order means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

(b) The provisions of Part II of this Order shall apply to such construction contracts, and for purposes of such application the administering department or agency shall be considered the contracting agency referred to therein.

(c) The term "applicant" as used in this Order means an applicant for Federal assistance or, as determined by agency regulation, other program participant, with respect to whom an application for any grant, contract, loan, insurance, or guarantee is not finally acted upon prior to the effective date of this Part, and it includes such an applicant after he becomes a recipient of such Federal assistance.

Sec. 303 (a) Each administering department and agency shall be responsible for obtaining the compliance of such applicants with their undertakings under this Order. Each

administering department and agency is directed to cooperate with the Secretary of Labor, and to furnish the Secretary such information and assistance as he may require in the performance of his functions under this Order.

(b) In the event an applicant fails and refuses to comply with his undertakings, the administering department or agency may take any or all of the following actions: (1) cancel, terminate, or suspend in whole or in part the agreement, contract, or other arrangement with such applicant with respect to which the failure and refusal occurred; (2) refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and (3) refer the case to the Department of Justice for appropriate legal proceedings.

(c) Any action with respect to an applicant pursuant to Subsection (b) shall be taken in conformity with Section 602 of the Civil Rights Act of 1964 (and the regulations of the administering department or agency issued thereunder), to the extent applicable. In no case shall action be taken with respect to an applicant pursuant to Clause (1) or (2) of Subsection (b) without notice and opportunity for hearing before the administering department or agency.

Sec. 304. Any executive department or agency which imposes by rule, regulation, or order requirements of non-discrimination in employment, other than requirements imposed pursuant to this Order, may delegate to the Secretary of Labor by agreement such responsibilities with respect to compliance standards, reports, and procedures as would tend to bring the administration of such requirements into conformity with the administration of requirements imposed under this Order: *Provided,* That actions to effect compliance by recipients of Federal financial assistance with requirements imposed pursuant to Title VI of the Civil Rights Act of 1964 shall be taken in conformity with the procedures and limitations prescribed in Section 602 thereof and the regulations of the administering department or agency issued thereunder.

PART IV — Miscellaneous

Sec. 401. The Secretary of Labor may delegate to any officer, agency, or employee in the Executive branch of the Government, any function or duty of the Secretary under Parts II and III of this Order, except authority to promulgate rules and regulations of a general nature.

Sec. 402. The Secretary of Labor shall provide administrative support for the execution of the program known as the "Plans for Progress."

Sec. 403. (a) Executive Orders Nos. 10590 (January 18, 1955), 10722 (August 5, 1957), 10925 (March 6, 1961), 11114 (June 22, 1963), and 11162 (July 28, 1964), are hereby superseded and the President's Committee on Equal Employment Opportunity established by Executive Order No. 10925 is hereby abolished. All records and property in the custody of the Committee shall be transferred to the Civil Service Commission and the Secretary of Labor, as appropriate.

(b) Nothing in this Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Order. All rules, regulations, orders, instructions, designations, and other directives issued by the President's Committee on Equal Employment Opportunity and those issued by the heads of various departments or agencies under or pursuant to any of the Executive orders superseded by this Order, shall, to the extent that they are not inconsistent with this Order, remain in full force and effect unless and until revoked or superseded by appropriate authority. References in such directives to provisions of the superseded orders shall be deemed to be references to the comparable provisions of this Order.

Sec. 404. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this Order and of the rules and regulations of the Secretary of Labor.

Sec. 405. This Order shall become effective 30 days after the date of this Order.

Listing of DOT Orders and OMB Circulars Referenced in Internal Procedures Handbook

DOT Order No.	Title
1050.2	Standard DOT Title VI Assurances Contract Compliance and Title VI Manual for Civil Rights Specialists
1100.23	DOT Organization Manual
1200.1	Attendance at Meetings and Conferences
1210.4	Release of Information
1220.1	Legislative Testimony
1220.2	Testimony Before Appropriations Subcommittees
1320.2A	Clearance and Approval Procedures
1320.11	Mail Management System
1320.12	Mail Standards and Procedures
1320.13	Clearance of Plans and Report Forms Under the Federal Reports Act of 1942
1323.2A	Coordination and Transmittal of Reports to Congress
1325.2A	Correspondence Manual
1340.5A	Reporting of Procurement Actions for Input to Department-Wide Contract Information System
1360.1	Identification of Printed Material and Visual Aids
1360.3	Publishing and Printing--Policy and Primary Responsibilities
1500.1	Travel Manual

DOT Orders (Cont'd)	Title
1500.5	DOT Travel Advance Record Form
1600.11	Personnel Security Procedures
1600.22	Safeguarding Classified Information
1700.14	Photographic Services in the Washington Headquarters
1700.16	Management of Administrative Space in Headquarters
1700.18	Format for Scientific and Technical Reports
2050.3	Preparation of Legislation and Legislative Reports
2700.5A	Consolidated Accounting System Users Manual
2700.6	Prerequisites of Recording and Reporting Obligations
2700.7	Administrative Control of Funds
2700.8	Departmental Accounting Principles and Standards
2770.2	DOT Centralized Travel and Imprest Fund Services Manual
3300.1A	Merit Promotion Plan
3400.4	DOT Performance Rating Plan
4200.4	Unsolicited Contract Proposals
4200.6A	Field Contract Inspection Staffs
4230.1	Processing of Procurements Under $2,500--Small Purchases
4400.4	OST Procurement Procedures
4400.5	Selection of Firms to Provide Expert or Consultant Services by Contract

DOT Orders (cont'd)	Title
4600.1A	Redistribution of Excess Personal Property
4600.5	Cost Sharing and Research Grants
4600.6	Grantee Use of General Services Administration Sources of Supply and Services
5100.2	Departmental Program Planning and Budgeting Process
5610.1A	Procedures for Considering Environmental Impacts

OMB Circulars

OMB Circular No.	Title
A-7	Standardized Government Travel Regulations
A-11	Preparation and Submission of Annual Budget Estimates
A-19	Procedures for the Coordination and Clearance of Agency Recommendations on Proposed, Pending, and Enrolled Legislation
A-21	Principles for Determining Costs Applicable to Research and Development and Educational Services Under Grants and Contracts With Educational Institutions
A-34	Instructions on Budget Execution
A-40	Clearance of Plans & Report Forms Under the Federal Reports Act
A-56	Regulations Governing Payment of Travel and Transportation Expenses of Civilian Officers and Employees of the United States
A-85	Consultation With Heads of State and Local Governments
A-87	Principles for Determining Costs Applicable to Grants and Contracts With State and Local Governments
A-88	OMB Guidelines on Allowable Costs
A-95	Evaluation, Review, and Coordination of Federal and Federally-Assisted Programs and Projects
A-98	Notification to States of Grant-in-Aid Information

OMB Circulars (Cont'd)	Title
A-100	Cost Sharing on Research Supported by Federal Agencies
A-101	Administration of Grants, Contracts, or Other Agreements With Educational Institutions
A-102	Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments

OMB Bulletin No.	Title
68-10	The Accrual of Revenues and Expenditures

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION

DATE: April 28, 1972

In reply refer to:

SUBJECT: Grant Approval Package Uniformity

FROM : W. B. Hurd

TO : OPO Staff

1. This memorandum indicates the correct procedures for the preparation, organization and distribution of technical study and capital grant approval packages. These procedures supersede past instructions and should be followed immediately.

2. Contents of Approval Package

   a. The following items must appear on the right side of the manila folder in this order:

      1. the original copy of the letter to the applicant from the Administrator.

      2. two copies of the project budget (the letter should state that two copies of the budget are attached; the budget should include the cash drawdown schedule).

      3. the yellow file copy of the letter to the applicant from the Administrator.

      4. a mailing envelope.

      5. two copies of the Procedural Guide for Project Sponsors.

      6. two copies of UMTA Accounting Procedures.

   b. The following items must appear on the left side of the manila folder in the order in which they appear in the text of the approval memorandum:

      1. the original copy of the approval memorandum to be signed by the Associate Administrator (a place for the Administrator to concur should appear at the end of the memorandum).

      2. one copy each of the planning recommendation from HUD and from UPO-30 (technical studies).

3. one copy of the labor clearance from the Department of Labor (capital grants only).

4. one copy of the civil rights approval from the Office of Civil Rights and Service Development.

5. the original of the final legal report.

6. the yellow file copy of the approval memorandum.

c. The following items, with numbers of copies indicated, should be placed in the middle of the manila folder before the package goes into clearance:

1. grant notification form (5)

2. Information for the Secretary (5)

3. press release (5)

4. approval memorandum (2)

5. project budget (1)

3. Additional Information

a. Initial and signature tabs should be inserted at appropriate places on the memorandum and the letter.

b. The Program Accounting Code must appear on the yellow file copies of the memorandum and the letter.

c. The number assigned by the State Clearinghouse (for A-95 review) should be obtained by the transportation representative and placed on the yellow file copy of the memorandum with the Program Accounting Code.

d. It is no longer necessary to use concurrence stationery for the approval memorandum. All concurrences during the clearance process should be obtained on the yellow file copy of the letter to the applicant. The letter should have space available for concurrence through the Deputy Administrator, UOA-2.

e. Each transportation representative is responsible for the completeness of the entire approval package. In addition, the transportation representative will follow the package through the clearance process and know where it is at all times.

f. The project file should accompany the approval package for the Associate Administrator's signature.

g. The following schedule lists the minimum number of copies of the memorandum, letter and budget. With the exception of the copies indicated in section 2(c) of this memorandum (for example, the five copies of the grant notification form), all copies should be made after the Administrator has approved the project.

Minimum Copies Required
After Approval

Approval Memorandum & Letter to Applicant	Project Budget
UMTA/file	Project/file
UOA-1	Hare (capital grants)
UAD-30	Office Copy 9306
TAD-45	
UCC-1	
UPP-30	
HUD	
FHWA	
URD-1	
UPA-1	
Chron 9306	
Hare (capital grant)	
Transp. Representative	
Office Copy 9306	
UAD-20	
UCR-1	

4. Routing Procedures. The attached routing procedures should be followed for all grant approval packages, including initial grants, amendments, and one-sixth notifications. Of course, one-sixth notifications and amendments which do not increase the UMTA share need no additional prevalidation of funds. However, these still should be routed through the Office of Administration.

W. B. Hurd

DEPARTMENT OF TRANSPORTATION

ROUTE SLIP

DATE Date Typed

TO: NAME		ORG/RTG SYMBOL
Transportation Rep.	- Surname	
Senior Transportation Rep.	- Surname	
Division Director	- Surname	
UCR-1	- Surname	
UCC	- Surname	
UAD-10 - Fund Reservation made	- Surname	
UAD-1	- Surname	
UPO-1 - Sign Memo/Surname letter/initial press release		
UOA-10 - Surname letter to applicant		
UOA-2 - Surname letter to applicant		
UOA-1 - Sign. letter/concur in memo		

- ☐ PER YOUR REQUEST
- ☐ FOR YOUR INFORMATION
- ☐ PER OUR CONVERSATION
- ☐ NOTE AND RETURN
- ☐ DISCUSS WITH ME
- ☐ FOR YOUR APPROVAL
- ☐ FOR YOUR SIGNATURE
- ☐ COMMENT
- ☐ TAKE APPROPRIATE ACTION
- ☐ PLEASE ANSWER
- ☐ PREPARE REPLY FOR SIGNATURE
- ☐ OF _____

REMARKS:

FROM:	TELEPHONE NO.	ORG/RTG SYMBOL
Transportation Rep.	6---------	UPO-

FORM DOT F 1320.9 (5-67) FORMERLY FORM OST F 1320.1 GPO 904.204

ROUTING OF APPROVAL PACKAGES

OFFICE	INDIVIDUAL	ACTION
UPO	Transportation Representative	Checks final typed package for completeness and accuracy; assembles entire package including file; surnames
UPO	Senior Transportation Representative	Checks package for completeness and accuracy; surnames
UPO	Director, Division of Project Development (Technical Studies)	Checks package to assure grant is in current program; performs general review; surnames
UCR	Director, Office of Civil Rights and Service Development	Reviews project to assure compliance with civil rights requirements; prepares and attaches civil rights approval; surnames
UCC	Chief Counsel	Reviews legal aspects of project; prepares and attaches final legal report; surnames
UAD-10	Director, Program Administration	Reviews approved package; makes prevalidation of funds; forwards copy of project budget and cash drawdown schedule to Division of Financial Management (UAD-20); surnames
UAD-1	Associate Administrator	Affirms prevalidation and liquidating cash schedule; surnames
UPO	Transportation Representative	Reviews package for completeness using paragraph 2 of this memorandum as a guide
UPO-1	Secretary to Associate Administrator	Reviews letter to the applicant for conformance with accepted typing standards
UPO-1	Program Assistant to the Associate Administrator	Reviews entire package for conformance to this memorandum; ascertains that project is still in current program; surnames on routing slip only
UPO-1	Associate Administrator	Reviews entire package for conformance with current policies; signs memorandum; surnames letter to the applicant; initials draft press release

OFFICE	INDIVIDUAL	ACTION
	After the memorandum has been signed the date is logged by the Associate Administrator's Secretary and the project file is given to the transportation representative; only the approval package is hand carried to the Office of the Administrator	
UOA-10	Special Assistant to the Administrator	Reviews package; surnames letter to applicant
UAD-10	Director, Program Administration	Forwards copies of approval memorandum and draft press release to the Office of Public Affairs and the Office of Administration in the Secretary's office
UOA-2	Deputy Administrator	Reviews package; surnames letter to applicant
UOA-1	Administrator	Concurs in memorandum and signs letter to the applicant
UPO-1	Secretary to the Associate Administrator	Date of Administrator's approval is logged
UPO	Typist	Makes and conforms copies (must be done within two working hours)
UPO	Transportation Representative	Combines file and approval package; hand carries to UAD-10 with copies
UAD-10	Director, Program Administration	Holds letter until release date is forwarded from Public Affairs; copies of memorandum and letter distributed

DOT LIBRARY
00399564